

Acts and Joint Resolutions

OF THE

GENERAL ASSEMBLY

OF THE

State of South Carolina

REGULAR SESSION OF 1962

Second Part

of Fifty-second Volume of Statutes at Large

(The Acts and Joint Resolutions of 1961
Constituted the First Part)

PRINTED UNDER DIRECTION OF
LEWIE GRIFFITH MERRITT
CODE COMMISSIONER

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NOTICE

The following acts were passed during the 1962 regular session of the General Assembly and are presently in the hands of the Governor:

(R1197, S701) An Act To Allow York County And Municipalities Therein To Regulate The Ambulance Business; To Permit Them To Pay Ambulance Charges For Certain Charity Cases; And To Provide A Penalty For Failure To Pay, Except In Charity Cases.

(R1203, H2482) An Act To Declare The Compilation, Collection And Revision Of The General Statute Law Of The State, As Reported By The Code Commissioner Pursuant To Section 5, Article VI, Of The Constitution Of South Carolina, 1895, The Code Of Laws Of South Carolina, 1962, The Only General Statutory Law Of The State.

The regular session adjourned *sine die* April 13, 1962.

In the parentheses to the left of the permanent numbers are two numbers of which this is an example: (R28, H1150). The first number is preceded by R in every instance, and the second number by either H or S. The R indicates the Ratification Number of the act; the H the House Number as a Bill and the S the Senate Number as a Bill.

Also published herein are rules and regulations issued pursuant to general and permanent laws and which have been filed in the office of the Secretary of State.

LEWIE GRIFFITH MERRITT,
Code Commissioner.

Columbia, S. C.,
July, 1962.

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800. AN ACT To Provide For The Open Season For The Hunting Of Turkeys In Jasper County.—P. 1946.
801. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, As Amended, By Adding New Section 10-209.1, So As To Include In Recoverable Damages Reasonable Funeral Expenses.—P. 1946.
802. AN ACT To Amend Section 14-351, Code Of 1952, Relating To The County Planning Act So As To Make The Provisions Thereof Applicable In Counties Containing A City Of Over Twenty-Three Thousand.—P. 1947.
803. AN ACT To Remove Chattoga Township In Oconee County From District No. 2 And Place It In District No. 4.—P. 1948.
804. AN ACT To Amend Act No. 282 Of The Acts Of 1961, Regulating Fishing And Hunting Upon The Waters Of The Hartwell Reservoir, So As To Make The Provisions Thereof Identical To Those Applicable To The Clark's Hill Area.—P. 1948.
805. AN ACT To Amend Section 27-92 Of The 1952 Code, Relating To The Fee Schedule Of The Clerk Of Court Of Common Pleas And General Sessions For Orangeburg County, So As To Make Further Provisions Therefor.—P. 1950.
806. AN ACT To Repeal Sections 22-309 Through 22-315, Code Of Laws Of South Carolina, 1952, Relating To Beneficiary Cadets At The Citadel, The Military College Of South Carolina; And To Amend Section 44-705, Code Of Laws Of South Carolina, 1952, Relating To Ownership And Use Of Marion Square In Charleston, So As To Eliminate The Citadel's Use Of This Property For Military Exercises And Recreation.—P. 1951.

807. AN ACT To Authorize The Town Of Bethune In Kershaw County To Levy A Tax Not To Exceed Fifty Mills On All The Taxable Property Within The Town.—P. 1952.
808. AN ACT To Amend Section 27-74, Code Of Laws Of South Carolina, 1952, Relating To Fees To Be Charged By The Clerk Of Court For Calhoun County, So As To Further Provide For Such Fees.—P. 1953.
809. AN ACT To Amend Section 19-438, Code Of Laws Of South Carolina, 1952, Relating To The Bond Of An Administrator With Will Annexed, So As To Eliminate An Inconsistency.—P. 1954.
810. AN ACT To Provide For Service Upon Trustees Of An Inter Vivos Trust, And To Provide A Penalty.—P. 1955.
811. AN ACT To Create The State Advisory Commission On Higher Education; To Prescribe Its Duties, And To Provide Funds Therefor.—P. 1956.
812. AN ACT To Provide For The Composition And Terms Of Office Of The Governing Body Of The Town Of Latta In Dillon County.—P. 1958.
813. AN ACT To Amend Sections 56-1157, 56-1160 And 56-1161, Code Of Laws Of South Carolina, 1952, Relating To Loans By Pawnbrokers, So As To Further Provide For The Charges Which May Be Collected By Pawnbrokers And To Further Provide For The Forfeiture Of Property Pledged To Secure Such Loans.—P. 1959.
814. AN ACT To Exempt Purchasers Of Motor Vehicles And Persons Applying For License Plates Of South Carolina, Whose Motor Vehicles Are Registered In Other States And Who Desire License Plates Of This State, And Those Acquiring Vehicles For Registration In This State, From Purchasing License Plates Of The Current Year After New Plates Go On Sale.—P. 1960.
815. AN ACT To Amend Act No. 818 Of 1960, As Amended, Relating To The State Use Law, So As To Exempt Agricultural Products Produced By Convicts Or Prisoners In County Penal Institutions From The Provisions Of This Act And To Repeal Section 4 Of The Act.—P. 1961.
816. AN ACT To Amend Act No. 163 Of 1961, Providing For Testamentary Additions To Trusts, So As To Insert A Material Omission.—P. 1962.
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818. AN ACT To Provide Supplemental Payments From The South Carolina Retirement System For Certain Persons.—P. 1964.
819. AN ACT To Provide That Personal Property In Transit In Interstate Commerce Acquire No Situs For Purposes Of Property Taxation; To Provide That Proper Records Be Maintained; To Fix The Duties Of Certain Officers; And To Provide Penalties For Violations.—P. 1965.
820. AN ACT To Amend Section 1 Of Act 701 Of 1956, As Amended, Relating To The Requirement Of A Certificate As To Payment Of County And Municipal Taxes To Be Included With Applications For License Of Motor Vehicles So As To Provide That Additional Information Be Included In The Certificate.—P. 1966.
821. AN ACT To Provide For An Optional Method Of Filing Income Tax Returns If Adjusted Gross Income Is Less Than Five Thousand Dollars.—P. 1967.

822. AN ACT To Provide For The Payment Of Interest On Taxes, Penalties Or Interest Recovered Through Litigation.—P. 1970.
823. AN ACT To Amend Subsection (3) Of Section 65-226, Code Of Laws Of South Carolina, 1952, Relating To Organizations That Are Exempt From Income Taxation, So As To Exempt From The Income Tax Trusts Organized For Religious, Charitable, Scientific, Or Educational Purposes.—P. 1971.
824. AN ACT To Amend Item (11) Of Section 65-259, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Income Tax Deductions, So As To Allow Fiduciaries The Same Contribution Deduction As Is Now Allowed Individuals.—P. 1972.
825. AN ACT To Amend Subsection K Of Section 12 Of Part II Of Act 140 Of 1959, Relating To Method Of Payment Of Income Tax, So As To Prohibit Individuals Or Fiduciaries From Making Installment Payments After Due Date.—P. 1973.
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828. AN ACT To Amend Section 46-667, Of The 1952 Code, Relating To Permits For Excess Size And Weights Of Motor Vehicles, So As To Provide For A Fee And The Disbursement Of Funds So Collected.—P. 1975.
829. AN ACT To Amend Act No. 800 Of The Acts And Joint Resolutions Of The General Assembly Of 1958 Which Makes The Provisions Of Section 17 Of Act No. 723 Of 1952 Relating To Suspensions Or Revocations Of Drivers' Licenses By The Highway Department Applicable To All Suspensions Or Revocations Regardless Of Whether Such Authority Is Now Or May Hereafter Be Possessed By The Highway Department, So As To Limit The Suspensions Or Revocations To The Drivers' Licenses Under Authority Of The Act No. 723 Of 1952, To The Revocation Of Licenses Only.—P. 1975.
830. AN ACT To Amend Act No. 168 Of The Acts And Joint Resolutions Of The General Assembly Of South Carolina, 1955, Establishing A Point System For Motor Vehicle Traffic Law Violations, So As To Eliminate From Section 2 Of The Act The Reference To "Using Smoke Screen 6 Points".—P. 1976.
831. AN ACT To Provide That No Person Shall Be Committed To An Institution Under The Control Of The Board Of State Industrial Schools Who Is Epileptic, Mentally Ill Or Mentally Defective And To Provide For The Disposition Of Persons Who Become So Afflicted While An Inmate Of Such An Institution.—P. 1977.
832. AN ACT To Authorize Banks Under The Supervision Of The Board Of Bank Control To Invest In Corporations Whose Purpose Is To Provide Clerical Services For Them, And For Other Purposes.—P. 1978.
833. AN ACT To Create The South Carolina Defense Scholarship Fund, To Provide An Appropriation, To Provide For Loans To Be Made By The Fund And To Provide For Payment Of The Loans.—P. 1979.
834. AN ACT To Prohibit The Importation Of Meat Of Any Kind Into South Carolina Which Is Not Pure And Disease Free.—P. 1881.

835. AN ACT To Amend Section 14-1007, Code Of Laws Of South Carolina, 1952, Relating To Compensation Of Employees Of Beaufort County, So As To Further Provide For The Compensation Of County Officers And Employees Of Beaufort County, And To Amend Title 14, Code Of Laws Of South Carolina, 1952, By Adding New Sections Setting Forth The Method Of Compensating County Officers And Employees, And Establishing A System Of Accounting Of Fees And Other Charges In The Nature Of Fees Required By Law To Be Collected By Officers And Employees Of Beaufort County.—P. 1981.
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837. AN ACT To Amend Section 2 Of Act 154 Of 1955, Relating To The Adoption And Discontinuance Of Council-Manager Form Of Government, So As To Make Special Provisions For Towns Having Not Less Than Eight Thousand Nor More Than Eight Thousand Two Hundred And Fifty Inhabitants By The Latest Official United States Census.—P. 1985.
838. AN ACT To Amend Act 114 Of 1959, Relating To The Horry County Higher Education Commission, So As To Further Provide For The Use Of The Three Mill Levy Contained Therein And To Authorize Borrowing Against The Levy.—P. 1985.
839. AN ACT To Amend Act No. 382 Of 1957 Relating To The Horry County Educational Fund And Scholarship Board, So As To Further Provide For The Membership Of The Board And The Transaction Of Business By The Board; To Further Provide For Scholarships And To Authorize Scholarship Grants.—P. 1987.
840. AN ACT To Amend Section 15-1613, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms Of Civil Court For Florence County, So As To Further Provide Therefor.—P. 1989.
841. AN ACT To Provide For The Appointment Of The Berkeley-Charleston-Dorchester Tri-County Committee For Technical Training And To Set Forth Its Powers And Duties.—P. 1990.
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845. AN ACT To Amend Sections 14-3344.5 And 14-3344.8, Code Of Laws Of South Carolina, 1952, Relating To Exemptions From The General Purchasing Law And To The Sale Of Surplus Or Obsolete Property In Spartanburg County, Respectively, So As To Further Provide Therefor.—P. 1994.
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- Of 1962, And To Repeal Chapters 1 Through 8 And Chapters 10 And 11 Of Title 12 Of The Code Of Laws Of South Carolina, 1952, And All Other Acts Or Parts Of Acts Inconsistent With The Business Corporation Act.—P. 1996.
848. AN ACT To Create The South Carolina Nuclear Energy And Space Commission And To Provide Funds Therefor; To Authorize The Issuance Of Bonds Under Certain Conditions; And To Repeal Act 707 Of 1960, Appointing A Committee To Study The Peaceful Use Of Atomic Energy.—P. 2125.
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837	754	895	788
838	755	896	789
839	756	897	790
840	757	898	1156
841	1184	899	1007
842	1185	900	791
843	758	901	792
844	1108	902	1017
845	1171	903	793
846	759	904	794
847	760	905	795

RATIFICATION NUMBERS

iv

Ratification No.	Act No.	Ratification No.	Act No.
906	796	964	837
907	1018	965	1097
908	1157	966	838
909	797	967	839
910	798	968	1204
911	799	969	1113
912	800	970	1186
913	801	971	1077
914	802	972	840
915	1096	973	1250
916	803	974	1088
917	1248	975	841
918	1249	976	842
919	997	977	843
920	804	978	844
921	1068	979	845
922	1144	980	846
923	805	981	1069
924	1076	982	1205
925	806	983	1005
926	807	984	1022
927	808	985	847
928	809	986	848
929	810	987	849
930	811	988	850
931	812	989	851
932	1087	990	852
933	1014	991	853
934	813	992	854
935	814	993	855
936	815	994	1019
937	816	995	856
938	817	996	857
939	818	997	1206
940	819	998	1225
941	820	999	1226
942	821	1000	858
943	822	1001	859
944	823	1002	860
945	824	1003	1070
946	825	1004	861
947	826	1005	1258
948	827	1006	1259
949	1013	1007	862
950	828	1008	863
951	829	1009	864
952	830	1010	991
953	831	1011	865
954	832	1012	866
955	1051	1013	867
956	833	1014	1098
957	1203	1015	1035
958	834	1016	868
959	835	1017	1002
960	836	1018	992
961	1024	1019	1227
962	1223	1020	869
963	1224	1021	989

Ratification No.	Act No.	Ratification No.	Act No.
1022	870	1080	912
1023	871	1081	1033
1024	872	1082	1230
1025	873	1083	1263
1026	874	1084	1149
1027	875	1085	913
1028	876	1086	914
1029	877	1087	915
1030	1125	1088	1214
1031	878	1089	1114
1032	879	1090	1115
1033	1036	1091	916
1034	1228	1092	1145
1035	1009	1093	917
1036	880	1094	918
1037	881	1095	919
1038	882	1096	1162
1039	883	1097	1198
1040	884	1098	1025
1041	885	1099	920
1042	886	1100	1167
1043	887	1101	921
1044	998	1102	922
1045	888	1103	1026
1046	887	1104	1242
1047	890	1105	1251
1048	891	1106	923
1049	892	1107	1207
1050	893	1108	1243
1051	894	1109	1208
1052	895	1110	924
1053	896	1111	1187
1054	897	1112	1063
1055	898	1113	1264
1056	899	1114	1173
1057	1101	1115	925
1058	1071	1116	1000
1059	900	1117	926
1060	996	1118	927
1061	901	1119	928
1062	902	1120	929
1063	903	1121	1189
1064	904	1122	1089
1065	905	1123	931
1066	906	1124	932
1067	994	1125	933
1068	1229	1126	930
1069	907	1127	934
1070	908	1128	935
1071	909	1129	936
1072	1020	1130	937
1073	1052	1131	1265
1074	910	1132	1128
1075	1172	1133	1116
1076	1023	1134	938
1077	1133	1135	939
1078	1006	1136	1252
1079	911	1137	940

RATIFICATION NUMBERS

lvii

Ratification No.	Act No.	Ratification No.	Act No.
1138	1102	1196	1059
1139	1021	1197	In hands of Governor
1140	941	1198	963
1141	1053	1199	964
1142	942	1200	965
1143	1078	1201	1054
1144	943	1202	1120
1145	1253	1203	In hands of Governor
1146	944	1204	966
1147	1092	1205	1110
1148	1034	1206	967
1149	945	1207	968
1150	946	1208	969
1151	1209	1209	1121
1152	1194	1210	970
1153	1210	1211	1039
1154	1047	1212	971
1155	947	1213	972
1156	948	1214	1103
1157	1146	1215	1245
1158	1211	1216	1064
1159	1117	1217	973
1160	1118	1218	1082
1161	1119	1219	1235
1162	949	1220	1055
1163	1260	1221	1060
1164	950	1222	1168
1165	1138	1223	1090
1166	1174	1224	974
1167	951	1225	1159
1168	952	1226	1135
1169	953	1227	1028
1170	1254	1228	1129
1171	1244	1229	975
1172	954	1230	1160
1173	955	1231	976
1174	1109	1232	1083
1175	956	1233	1056
1176	1134	1234	1084
1177	1158	1235	1111
1178	1190	1236	1236
1179	957	1237	1161
1180	1079	1238	1237
1181	1147	1239	977
1182	1148	1240	1139
1183	1027	1241	1140
1184	1266	1242	978
1185	1231	1243	979
1186	1232	1244	1075
1187	958	1245	980
1188	959	1246	981
1189	1195	1247	982
1190	1267	1248	1238
1191	1233	1249	1268
1192	1234	1250	1044
1193	960	1251	983
1194	961	1252	1040
1195	962	1253	1041

Ratification No.	Act No.	Ratification No.	Act No.
1254	984	1266	1072
1255	985	1267	1061
1256	986	1268	1130
1257	1065	1269	1073
1258	1196	1270	1030
1259	1057	1271	1163
1260	987	1272	1062
1261	988	1273	1122
1262	1042	1274	1085
1263	1197	1275	1031
1264	1178	1276	1239
1265	1029	1277	1179

ACTS
AND
JOINT RESOLUTIONS
OF THE
General Assembly
OF THE
State of South Carolina

ERNEST F. HOLLINGS, Governor; BURNET R. MAYBANK, Lieutenant Governor and ex officio President of Senate; EDGAR A. BROWN, President pro tempore of Senate; SOLOMON BLATT, Speaker of House of Representatives; REX L. CARTER, Speaker pro tempore of House of Representatives; L. O. THOMAS, Clerk of the Senate; INEZ WATSON, Clerk of House of Representatives.

Passed at the regular session, which was begun and held at the city of Columbia on the 9th day of January, A. D. 1962
and was adjourned sine die on the 13th day of
April, A. D., 1962

PART II
GENERAL AND PERMANENT LAWS

(R681, S428)

No. 674

An Act To Change The Name Of The Bethlehem Voting Precinct In Oconee County To Mountain Rest.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Voting precincts in Oconee County changed.—Notwithstanding the provisions of Section 23-190, Code of Laws of South Carolina, 1952, the name of the Bethlehem Voting Precinct in Oconee County is changed to Mountain Rest.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R685, H1536)

No. 675

An Act To Amend Section 48-51, Code Of Laws Of South Carolina, 1952, Relating To Application For Change Of Name, So As To Delete The Requirements That Such Be Made in Open Court.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Petition for change of name.—Section 48-51, Code of Laws of South Carolina, 1952, is amended by striking on lines 2 and 3 the following: "in open court," so that, when so amended, the section shall read as follows:

"Section 48-51. Any person who may be desirous of changing his name may exhibit his petition, in writing, to any of the judges of the circuit court of this State, setting forth in such petition the reason why he is desirous of changing his name, together with his age, place of residence and nativity and the name by which he wishes thereafter to be called and known."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R686, H1781)

No. 676

An Act To Amend Act 920 Of 1958, Relating To A Committee To Investigate Communist Activities, So As To Provide That The Committee Shall Develop And Execute An Educational Program To Inform The People Of This State Of The Threat Of Communism To The National Security.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 920 of 1958 amended—additional duties.—Section 2 of Act 920 of 1958 is amended by adding at the end thereof the following: "The committee shall develop and execute an educational program to inform the people of the State of South Carolina of the threat of communism to the national security."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R687, H1604)

No. 677

An Act To Increase The Term Of Office From One To Two Years Of The Mayor And Aldermen Of The Towns Of Arcadia Lake, Ardincaple, Bendale, Boyden Arbor, Independents And Ravenwood In Richland County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of mayors and aldermen of certain towns increased.—The terms of office of the mayor and aldermen of the Towns of Arcadia Lake, Ardincaple, Bendale, Boyden Arbor, Independents and Ravenwood in Richland County, shall be for two years and until their respective successors have been elected and qualify. This act shall not affect the terms of the present mayors and aldermen.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R691, H2047)

No. 678

An Act To Amend Section 65-1553, Code Of Laws Of South Carolina, 1952, Relating To Tax Exemptions For Certain Manufacturing Enterprises In Fairfield County, So As To Provide Such Exemptions For Warehouse, Storage, Or Distribution Facilities For Clothing.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-1553, 1952 Code, amended—tax exemptions for certain manufactories and clothing facilities in Fairfield County.—Section 65-1553, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following :

“Section 65-1553. In Fairfield County any new manufacturing enterprise or warehouse, storage, or distribution facility for clothing, when the capital of such enterprise or facility is not less than ten thousand dollars and any addition to such existing enterprise or facility, when the cost of the addition is not less than ten thousand dollars, is exempt from all county taxes, except for school purposes, for a period of five years from the establishment of such new enterprise or facility, or the addition to such existing enterprise or facility.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R696, S458)

No. 679

An Act To Amend Section 47-376.2, Code Of Laws Of South Carolina, 1952, Relating To Terms Of Office Of The Mayor And Councilmen Of The City Of Cheraw In Chesterfield County, So As To Change The Method To Be Used To Determine The Terms Of The Councilmen Elected In The General Election Of 1962.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-376.2, 1952 Code, amended, terms of councilmen for City of Cheraw.—Section 47-376.2, Code of Laws of South Carolina, 1952, is amended by striking the second sentence

and inserting in lieu thereof the following: "The councilmen elected in the general election of 1962 shall determine by agreement which two shall serve terms of four years and which two shall serve terms of two years. If the councilmen elected in the general election are unable to determine this matter by unanimous agreement they shall draw lots to determine which two shall serve for terms of four years and which two shall serve for terms of two years.", so that when amended the section shall read as follows:

"Section 47-376.2. In the City of Cheraw in Chesterfield County the term of office of the councilmen shall be four years, beginning with the general election of 1962. The councilmen elected in the general election of 1962 shall determine by agreement which two shall serve terms of four years and which two shall serve terms of two years. If the councilmen elected in the general election are unable to determine this matter by unanimous agreement they shall draw lots to determine which two shall serve for terms of four years and which two shall serve for terms of two years. Thereafter, terms of office shall be for four years. *Provided*, that the term of office of the Mayor shall continue to be a two year term."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1962.

(R703, H2046)

No. 680

An Act To Amend Section 61-114.1, Code Of Laws Of South Carolina, 1952, Which Permits The Nominee Of A Member Of The South Carolina Retirement System To Receive A Monthly Allowance In Lieu Of Accumulated Contributions In Certain Cases Involving The Death Of The Member Prior To His Retirement, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 61-114.1, 1952 Code, amended—beneficiaries of members of S. C. Retirement System may receive monthly allowances instead of lump sum.—Section 61-114.1, Code of Laws of South Carolina, 1952, is amended by inserting between the comma and the word "elect" on line five the following: "or after the

attainment of age sixty with twenty or more years of creditable service,” so that when amended the section shall read as follows:

“Section 61-114.1. The person nominated by a member to receive the full amount of his accumulated contributions in the event of his death before retirement may, if such member dies in service after the attainment of age sixty-five or after the accumulation of thirty-five years of creditable service, or after the attainment of age sixty with twenty or more years of creditable service, elect to receive in lieu of such accumulated contributions, an allowance for life in the same amount as if the deceased member had retired at the time of his death and had named such person as beneficiary under an election of Option 2 of Section 61-111.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R704, H2055)

No. 681

An Act To Create The Richland-Lexington Airport District; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provisions For Borrowing By The District, Including The Issuance Of General Obligation Bonds Of The District Not Exceeding Two Million Seven Hundred Thousand Dollars; To Prescribe The Terms And Conditions Under Which Such Money May Be Borrowed By The District And To Make Provision For Its Payment; To Provide For The Application For And Use Of Funds Which May Be Allocated To The District By The Federal, State, Or Other Governments; To Provide For The Continuing Operation Of The Facilities Of The District And To Repeal Acts Nos. 66 And 114 Of 1961, Relating To The Richland-Lexington Airport District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the public interest requires the establishment with-

in the district hereby created of modern air transport facilities capable of providing service for all modern air transport. It has therefore determined to constitute all of the territory embraced by the Counties of Richland and Lexington into an airport district, to commit to such district the function of constructing, operating, and maintaining adequate air transport facilities of suitable size and with suitable equipment to enable all types of air transport to utilize the same, to authorize the airport district to finance all costs that might be incurred by it in the construction and establishment of such facilities through the issuance of general obligation bonds of the airport district. In reaching the findings herein, the General Assembly takes note of the fact that it has caused appropriate investigation to be made of all facets of the problem here sought to be remedied, and has found that the authorizations and conditions set forth in this act are fair and equitable and are in all respects promotive of the welfare of Richland County and Lexington County.

SECTION 2. Area designated as Richland-Lexington Airport District—to be corporate body.—The territory embraced by the Counties of Richland and Lexington is hereby constituted an airport district and a political subdivision of this State, the functions of which shall be public and governmental, and the inhabitants of the territory are hereby constituted a body politic and corporate. The corporate name of the airport district shall be Richland-Lexington Airport District, and by that name the airport district may sue and be sued.

SECTION 3. To be governed by a commission — members—appointments—terms—vacancies—compensation.—The corporate powers and duties of the Richland-Lexington Airport District shall be exercised and performed by a commission to be known as Richland-Lexington Airport Commission. The commission shall be composed of six members to be appointed by the Governor as follows: two members shall be appointed upon the recommendation of the Senator and a majority of the Lexington County Legislative Delegation; two members shall be appointed upon the recommendation of the Senator and a majority of the Richland County Legislative Delegation; and two members shall be appointed upon the recommendation of the City Council of the City of Columbia. Of those initially appointed, three shall hold office for two-year terms and three shall hold office for four-year terms, and each recommending agency shall designate in the written recommendation to be made to the Gov-

ernor which of the two recommended by such body has been recommended for the two-year term, and which has been recommended for the four-year term. All terms of office shall commence on the first day of the month following the approval of this act by the Governor, and shall extend until the appropriate anniversary of such date. Upon the expiration of each term of office, a successor shall be appointed in the manner of the original appointment for a term of four years. In the event of a vacancy for any reason, other than the expiration of a term, a successor shall be appointed in the same manner of the original appointment for the balance of the unexpired term. Notwithstanding the expiration of the term of office of any member, he shall continue to serve until his successor shall have been recommended, appointed, and qualified, but any delay in appointing a successor shall not extend the term of such successor. The members of the commission shall serve without compensation, except for their actual and necessary expenses while in performance of duties prescribed under this act.

SECTION 4. Officers—rotation of.—The commission shall appoint one of its members as chairman, one of its members as vice chairman, and one of its members, or any other competent person, as secretary of the commission. The chairman of the commission shall serve for a term of two years and until his successor is appointed and qualified. The vice chairman shall likewise serve for a term of two years and until his successor is appointed and qualified. The office of chairman of the commission shall be rotated among the representatives of the three constituent appointing public bodies, so that a representative appointed by each constituent agency shall hold office as chairman for a term of two years, and the first chairman so appointed and serving shall then be succeeded by a representative appointed by a second of the two remaining constituent appointing bodies. Upon the expiration of the second two-year term, a representative of the third appointing body shall be elected as chairman to hold office for a term of two years. The pattern of rotation as thus established shall continue in order that no representative of any of the three constituent appointing bodies shall hold office for a full two-year term unless two full intervening terms shall have expired. In the event that the office of chairman shall become vacant, the duties of the chairman shall be temporarily performed by the vice chairman, but a successor shall be appointed as expeditiously as possible from the members representing the same constituent public body as did

the former chairman who shall have failed to complete his term. Insofar as is practicable, the same scheme of rotation shall be applied to the office of vice chairman, but the practice of rotating the office of vice chairman may be dispensed with, in the event that the commission, by a two-thirds vote, shall find that the rotation of office is impracticable. Office on the commission shall be deemed an office of honor within the meaning of the provision of Section 2 of Article II of the Constitution of South Carolina. The secretary of the commission shall have such term as shall be fixed by the commission.

SECTION 5. Powers and duties.—There is hereby committed to the commission the functions of planning, establishing, developing, constructing, enlarging, improving, maintaining, equipping, operating, regulating, protecting and policing an airport and suitable air navigation facilities to serve the people of the Richland-Lexington Airport district and the public generally. To this end, the commission shall be empowered:

1. To have and enjoy perpetual succession.
2. To adopt, use and alter a corporate seal.
3. To make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings, which shall require the presence of at least four members. Adequate notification of all meetings and the time and place shall be given to each member.
4. To plan, establish, develop, construct, enlarge, improve, maintain (which term shall include, here as hereafter, the power to establish a reasonable reserve for maintenance), equip, operate, regulate, protect and police its airport and air navigation facilities under such reasonable rules and regulations as the commission may from time to time promulgate.
5. To maintain and extend runways, terminals, maintenance shops, access roads, utilities systems, concessions, accommodations, and other facilities of whatever nature or kind for the comfort and accommodation of air travelers and air freight; to purchase and sell supplies, goods and commodities as an incident to the operation of its airport facilities; and for all such purposes, the commission may, by purchase, gift, devise, lease, eminent domain proceedings, or otherwise, acquire, hold, develop, use, lease, mortgage, sell, transfer, and dispose of any property, real, or personal, or any interest therein, including easements in or over land needed to prevent airport hazards, or land outside the boundaries of its airport or airport

site, necessary to permit the removal, elimination, obstruction-marking or obstruction-lighting, of airport hazards, or to prevent the establishment of airport hazards.

6. To license, lease, rent, sell or otherwise provide for the use of any of its airport facilities, and facilities auxiliary thereto, including the privilege of supplying goods, commodities, things, services or facilities at such airport by itself or by any persons or corporations qualified therefor, on such terms and conditions as its discretion may dictate; provided that in no case shall the public be deprived of its rightful, equal, and uniform use of its airport and air navigation facility.

7. For the purpose of promoting the safety of the airport and for the general welfare of air transportation the commission is empowered by regulation to restrict the height of any building, structure or obstruction including but not limited to towers, dwellings, trees, or any other object which might constitute a hazard to air transportation at its facilities within the area herein described. The commission may by regulation restrict the construction or erection of any building, structure or obstruction on lands located on the projection of any runways of its airport facilities at a height above a glide angle for aircraft of fifty (50') feet to one (1') foot measured outward from the boundaries of the end of any runway at said airport, for a distance of up to ten thousand (10,000') feet along a prolongation of the center line of said runways and extending laterally from the projection of said center lines of said runways from a distance of one thousand (1,000') feet each way at the airport boundary, increasing to a lateral distance of four thousand (4,000') feet each way from the center of any runway at a distance of ten thousand (10,000') feet from the boundary of said airport.

It may also by regulation restrict the erection of any building or other type construction of any nature whatsoever on lands adjacent to its air transport facilities at any point adjacent to them, not covered by the preceding paragraphs, at a height above a glide angle for aircraft of fifteen (15') feet to one (1') foot, measured outward from the boundaries of any such air facilities for a distance of twenty-five hundred (2,500') feet.

The commission shall if it shall undertake to adopt regulations prohibiting such construction, conduct a public hearing prior to taking action of their own. Notice of such public meeting shall be published in a newspaper of general circulation within the district

not less than seven (7) days prior to the occasion fixed for the holding of such meeting. Such notice shall state the time and place of the meeting and shall briefly indicate the scope of the proposed regulation. At such public meeting all persons affected by the proposed regulation shall be entitled to appear and to be heard. If following such a meeting the regulation restricting the erection of any such buildings or structures as was herein described is adopted, notice of the adoption of the regulation shall be given by filing a certified copy thereof in the office of the Clerk of Court for Richland County and in the office of the Clerk of Court for Lexington County and additional copies shall be posted in the Courthouse for Richland County and in the Courthouse for Lexington County and in at least two (2) public places within the district; and notice of the adoption of such regulations shall be published at least once during each of three successive weeks in a newspaper published in and having general circulation in the district. Such regulations shall become effective only after the foregoing shall have been done.

The commission is expressly authorized to apply to any court of general jurisdiction within the district for the enforcement of such regulations through the means of mandatory injunctions and other remedial proceedings and such courts are specifically empowered to render mandatory injunctions and such other remedial orders as shall appear to such courts to be just and reasonable.

The provisions of this paragraph 7 are hereby declared separable from the remaining provisions of this act and the invalidity hereof shall not affect or extend to the remaining provisions of this act.

8. To place in effect, and, from time to time, revise such schedules of licenses, rates, and charges for the use of its facilities as may be necessary or desirable to the orderly operation of its airport facility; provided that all such licenses, rates and charges shall be reasonable and nondiscriminatory; *provided*, further, that the provisions of this section shall not be construed to be in conflict with the provisions of paragraph 6, *supra*, which authorize the leasing of land and buildings auxiliary to its airport facility.

9. To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Section 25-161 through Section 25-171, South Carolina Code for 1952. All powers conferred on municipalities under said provisions are conferred hereby on the Richland-Lexington Airport Commission.

10. To appoint officers, agents, employees and servants, and to prescribe the duties of such, including the right to appoint persons charged with the duty of enforcing the rules and regulations promulgated pursuant to the provisions of this act, to fix their compensation, and to determine if, and to what extent they shall be bonded for the faithful performance of their duties.

11. To employ engineers, architects and attorneys, and to contract for such other services of a technical or professional nature as may be necessary or desirable to the performance of the duties of the commission.

12. To make contracts for the construction, erection, maintenance and repair of the facilities in its charge, by competitive bidding, after ten days published notice, if such contracts are in excess of ten thousand dollars; if the contracts are less than ten thousand dollars, then to enter into such contracts without competitive bids.

13. To deposit monies derived from the sale of any bonds authorized to be issued under the provisions of this act or from revenue-producing facilities in any bank or trust company having an office within the district, and to withdraw the same for the purpose of operating, maintaining, constructing, improving and extending any facility in its charge.

14. To apply for, accept, receive, receipt for, disburse, and expend Federal, State, county, or municipal monies and other monies, public or private, made available by grant or loan, or both, to accomplish, in whole or in part, any of the purposes of this act, and to this end, to continue to prosecute any application heretofore filed with the Federal Aviation Agency, or any other Federal agency, by the City of Columbia, and to pay from the funds of the district any costs hereafter incurred for any services rendered, since the date the application was filed, in connection with the procuring or processing of the application which is found by the commission to legitimately inure to the benefit of the Richland-Lexington Airport District. All Federal monies accepted under this section shall be accepted and expended by the commission upon such terms and conditions as are prescribed by the United States, and as are consistent with State law; and all other monies accepted under this section shall be accepted and expended by the commission upon such terms and conditions as are prescribed by the State or other sources thereof.

15. To pay for any services rendered for the benefit of the district from February 24, 1961, to the passage of this act which are found

by the commission to legitimately inure to the benefit of the Richland-Lexington Airport District.

16. To accept donations of all sorts, including a deed of conveyance by Lexington County or the City of Columbia of its right, title, and interest in and to lands intended to form the site of the airport facility to be constructed by the district and to accept from the City of Columbia a relinquishment of any leasehold interest or estate now possessed by the City of Columbia.

17. To issue under the conditions prescribed in paragraph 19 of this section general obligation bonds of the district in an amount not exceeding two million seven hundred thousand dollars.

18. In addition to the powers given by paragraph 17 of this section, to borrow on behalf of the district money and to make and issue negotiable bonds, notes, and other evidences of indebtedness payable solely from the revenue derived from the operation of any revenue-producing facility, or facilities, in its charge. The sums borrowed may be those needed to pay costs incident to the operation and maintenance of its airport facility, or such sums as may be needed to pay the costs of any extension, addition, or improvement to its airport facility, or both. If the method of financing authorized by this paragraph is used, neither the faith and credit of the State of South Carolina, nor of any county lying within the district, nor of the district itself shall be pledged to the payment of the principal and interest of the obligations, and there shall be on the face of such obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligations shall be personally liable thereon. In order that a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 9, Chapter 3, Title 59, Code of Laws of South Carolina, 1952, as now and hereafter amended, and Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter amended. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically and notwithstanding contrary provisions in any such Code provisions, the district may:

(a) Provide that such bonds, notes, or other evidences of indebtedness be payable, both as to principal and interest, from the net

revenues derived from the operation of any revenue-producing facility or facilities, as such net revenues may be defined by the commission.

(b) Covenant and agree that upon its being adjudged in default as to the payment of any instalment of principal and interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(c) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and also all revenues derived from the operation of the revenue-producing facility whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by resolutions adopted by the commission as an incident to the issuance of any notes, bonds, or other evidences of indebtedness.

(d) Dispose of its obligations at public or private sale and upon such terms and conditions as it shall approve.

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without a premium, and on such terms and conditions as the commission shall approve.

(f) Covenant and agree that any cushion fund established to further secure the payment of principal and interest of any obligation shall be in a fixed amount.

(g) Covenant and agree that it will not enter into any agreements with any person, firm, corporation, or with the government of this State, the United States, or any of the political subdivisions of the same for the furnishing of free services where such services are ordinarily charged for.

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(i) Prescribe the evidences of default and conditions upon which all or any obligation shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

19. The commission, on behalf of the district, shall be empowered to issue not exceeding two million seven hundred thousand dollars

of general obligation bonds of the district, whose proceeds shall be used to defray the cost of constructing and establishing suitable airport facilities within the district. For the purpose of this section, the term "construct and establish" shall embrace the cost of direct construction, the cost of all land, property, rights, easements, and franchises acquired (in addition to such property as may be conveyed to the district by Lexington County and the City of Columbia) which are deemed necessary for the construction and use of runways, terminal buildings, maintenance shops, freight depots, service establishments, and any and all facilities incident, or in anywise appurtenant, to an airport facility, and all machinery and equipment needed therefor, payments to contractors, laborers, or others for work done or material furnished, financing charges, interest incurred in connection therewith, interest on the bonds herewith authorized for not exceeding eighteen months, cost of engineering services, architectural services, legal services, legal and engineering expenses, plans, specifications, surveys, projections, drawings, brochures, administrative expenses and such other expenses as may be necessary or incident to the construction and operation of an airport facility within the district, hereafter incurred, for the purposes for which the district is created. All or any general obligation bonds issued pursuant to this paragraph shall conform to the following specifications and be subject to the following procedures:

(a) They shall be issued as a single issue, or from time to time as several separate issues. They shall bear such date or dates as the commission shall determine, and bonds of any issue shall mature in such equal or unequal installments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe, and they shall bear interest at such rate or rates, and shall be payable in such manner as the commission may determine. The bonds may be issued with the privilege of having them registered as to principal on the books of the commission and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity, on such terms and conditions and with such redemption premium as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale. At least ten

days prior to any sale, notice announcing the intention to receive bids for sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the commission shall reserve the right to reject any and all bids, and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

(d) All general obligation bonds issued pursuant to this act shall be manually signed by the chairman of the commission. The seal of the district shall be affixed to, impressed or reproduced upon each of such bonds, and each of such bonds shall be attested by the secretary of the commission. The coupons attached to such bonds shall be authenticated by a facsimile of the signatures of the chairman and the secretary of the commission, who shall be in office on the date of the adoption of the resolution of the commission authorizing the bonds.

(e) The delivery of any bonds so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution and authentication.

(f) There shall be irrevocably pledged for the payment of such bonds and interest as they mature the full faith, credit and resources of the district. Until the principal and interest of all bonds issued under this act shall be fully paid, there shall be levied on all taxable property in the district an annual tax ad valorem sufficient to pay the principal and interest of all bonds issued under this act as such principal and interest becomes due. The tax shall be annually levied by the Comptroller General of South Carolina and collected by the County Treasurers of Richland and Lexington Counties at the same time and in the same manner as county taxes are collected. Each of the county treasurers shall collect the tax in his county and pay the same to the State Treasurer in the manner and within the time heretofore provided by law for the payment of state taxes to the State Treasurer, who shall set them apart in a special fund and apply them solely to the payment of principal and interest of the bonds so long as any such principal or interest remains outstanding. The tax to be levied under the provisions of this paragraph shall not be substantially greater than the amount necessary to pay principal and interest of bonds maturing during the year in which moneys produced by such levy will come into the hands of

the State Treasurer, as reduced by the anticipated balance of funds actually in the hands of the State Treasurer, on the occasion when it becomes necessary to fix such tax levy, produce by: (a) additional collections from such levies made in prior years; (b) net revenues derived by the commission from the operation of its facilities not required to meet costs of operating, maintaining, enlarging and improving its facilities, or to discharge covenants securing bonds issued pursuant to paragraph 18. When all principal and interest of outstanding bonds have been paid, the State Treasurer shall transfer any balance remaining in the special fund created under the terms of this paragraph to the general fund of the commission subject to its draft or order for any legitimate purpose incident to the operation, maintenance or extension of the district's airport facilities.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of the State of South Carolina in a separate and special fund, and shall be subject to transfer, upon warrants or orders of the commission, to any bank or trust company having an office within the district, to be expended by the commission for the purposes specified herein, and no others; *provided*, however, that any premium received shall be deposited with the Treasurer of the State of South Carolina and applied by him to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the State Treasurer to the first installment of interest becoming due on the bonds and *provided*, further, pending such withdrawals, the Treasurer of South Carolina shall, upon the request of the commission, be empowered to invest and reinvest the proceeds derived from the sale of the bonds in direct general obligations of the United States of America having a maturity of not more than one year from the date as of which such investment shall be made. Income derived from such investments shall be applied to the payment of any interest to accrue on the general obligation bonds of the district. Neither the purchaser of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sales.

20. Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

SECTION 6. Revenues.—All revenues derived by the commission from the operation of any revenue-producing facility which may not be required to operate, maintain, enlarge and improve its airport facilities, or to pay obligations incurred in the issuance of any revenue

bonds sold pursuant to the authorizations of paragraph 18, Section 5, *supra*, shall be paid over to the State Treasurer, and held by him for the payment of interest and principal of general obligation bonds of the district.

SECTION 7. Rates not subject to State regulation.—The rates charged for services furnished by any revenue-producing facility of the district as constructed, improved, enlarged or extended, shall not be subject to supervision or regulation of any State bureau, commission, board or other like instrumentality or agency thereof.

SECTION 8. Exempt from taxes.—Property and income of the district shall be exempt from all taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 9. Obligations not to be impaired.—So long as the district shall be indebted to any person, firm or corporation on any bonds, notes, or other obligations issued pursuant to the authority of this act, provisions of this act and the powers granted to the district and the commission shall not be in anyway diminished and the provisions of this act shall be deemed a part of the contract between the district and the holders of such obligations.

SECTION 10. Saving clause.—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

SECTION 11. Repeal—Acts 66 and 114 of 1961 repealed.—Acts Nos. 66 and 114 of the Acts of 1961 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 31st day of January, 1962.

An Act To Amend Section 51-268, Code Of Laws Of South Carolina, 1952, Relating To Tax Support For The Activities Of The Cooper River Park And Playground Commission In Charleston County, So As To Increase The Tax Levy Authorized To

Meet The Costs Of Operating And Maintaining Parks, Playgrounds And Recreational Facilities Within The Commission's Jurisdiction From Three Mills To Four Mills, And To Redefine The Jurisdiction Of The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 51-268, 1952 Code, amended—commission may levy tax.—Section 51-268, Code of Laws of South Carolina, 1952, is amended by striking beginning on line 1 “in St. Phillips and St. Michaels Parish and Goose Creek Parish No. 1” and inserting in lieu thereof “within its jurisdiction, being all of that area in Charleston County north of the City of Charleston and known as North Charleston Consolidated Public Service District (as delineated on a plat recorded March 30, 1960 in the RMC Office for Charleston County in Plat Book M, Page 111)” and by striking on line 3 “three” and inserting in lieu thereof “four”, so that when amended the section shall read as follows :

“Section 51-268. The commission may levy upon all taxable property within its jurisdiction, being all of that area in Charleston County north of the City of Charleston and known as North Charleston Consolidated Public Service District (as delineated on a plat recorded March 30, 1960 in the RMC Office for Charleston County in Plat Book M, Page 111) a tax of not exceeding four mills per annum to meet the costs of operating and maintaining parks, playgrounds and recreational facilities in that area. Such tax shall be levied by the county auditor and collected by the county treasurer, who shall keep it in a separate fund, applicable solely to the purpose for which it is levied.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

An Act To Amend Act No. 443 Of The Acts And Joint Resolutions Of 1957 Relating To Certain Wards In The City Of Columbia, County Of Richland, So As To Further Include Certain Annexed Areas In Ward 18.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 443 of 1957 amended—Columbia Ward 18 further defined.—Act No. 443 of the Acts and Joint Resolutions of 1957, as amended, is further amended by adding the following at the end of the description of Ward 18 between the period and the word “This”: “Also all that area beginning at the northwest corner of the intersection of the rights-of-way of Belt Line Boulevard and Two Notch Road, at the present City Limit line of the City of Columbia, and running in a northerly direction along the western boundary line of the right-of-way of Two Notch Road to the point where a westerly extension of the northern boundary line of the right-of-way of Carter Street would intersect the western boundary line of the right-of-way of Two Notch Road; thence, turning and running in an easterly direction across the right-of-way of Two Notch Road, and then along the northern right-of-way line of Carter Street to the intersection with the western boundary line of the right-of-way line of Pine Belt Road; thence, turning and running in a southerly direction along the western boundary line of the right-of-way of Pine Belt Road to the northern boundary line of Covenant Road, which line is also the present City Limit line of the City of Columbia; thence, turning and running in a westerly direction and along the northern boundary line of Covenant Road and the present City Limit line to the intersection with the eastern boundary line of Belt Line Boulevard and present City Limit line; thence, turning and running in a northwesterly direction, then a westerly direction and along the eastern, then northern boundary line of Belt Line Boulevard and the present City Limit line to the intersection with western boundary line of Two Notch Road and the point of beginning.

Also that area beginning at a point on the present City of Columbia limit line, which point is located at the northwest corner of the intersection of Covenant Road and Pine Belt Road; thence, running in a northerly direction along the western side of Pine Belt Road to a point, which point is one hundred seventy-seven (177') feet, more or less, northeast of the intersection of Pine Belt Road and Deerfield Road; thence, turning and running in an easterly direction crossing Pine Belt Road to a point on the eastern side of Pine Belt Road, such point also is the southernmost limit of the town of Ravenwood on Pine Belt Road; thence, turning, running and following the limit line of the town of Ravenwood as follows: thence, turning and running southeasterly, thence northeasterly, approx-

imately one thousand five hundred sixty (1560') feet along the northern edge of the lots facing Deerfield Road to the eastern side of a creek; thence, turning and running southerly one hundred sixty (160') feet along the eastern side of such creek to a point where the creek intersects the northern side of Deerfield Road; thence, turning and running in an easterly direction on the northern side of Deerfield Road for a distance of five hundred thirty (530') feet, more or less, to the center line of the right-of-way of the long distance transmission line of the A. T. & T. Company; thence, turning and running in a southerly direction four hundred fifty (450') feet, more or less, along the center line of the transmission line to the point where it intersects the southern side of Fox Hall Road; thence, turning and running along the southern side of Fox Hall Road to the point where it intersects Bethel Church Road; thence, turning and running along the western side of Bethel Church Road, for a distance of one hundred fifty (150') feet, more or less; thence, turning and running in a westerly direction along the rear property line of the lots facing on Fox Hall Road; thence, turning and running along the rear property line of the lots facing on Wolf Circle; thence, along a creek in a southwesterly direction to the intersecting point with another creek; thence, turning and running in a northwesterly direction along the intersecting creek; thence, turning and running in a southerly direction one thousand two hundred sixty (1,260') feet, more or less, along the rear property line of the lots facing on Chinaberry Drive to the northern edge of Covenant Road; thence, turning and running in an easterly direction along the northern edge of Covenant Road to a point, which point is eighty-nine and $\frac{7}{10}$ (89.7') feet, more or less, east of the southeast corner of the intersection of Dalloz Road and Covenant Road; thence, turning and running south, crossing Covenant Road, and continuing for one hundred fifty-five and $\frac{8}{10}$ (155.8') feet, more or less, along the rear property line of two lots fronting on Dalloz Road; thence, continuing in a southerly direction one hundred fifteen (115') feet, more or less, along the eastern edge of a lot facing on Travis Court; thence, turning and running in a westerly direction along the northern side of Travis Court until it intersects Dalloz Road; thence, turning and running in a southerly direction, crossing Travis Court and running along the eastern side of Dalloz Road to the point where Dalloz Road intersects the Town Limit line of the Town of Forest Acres; thence, turning and running in a westerly direction along the Town Limit line of Forest Acres to the

point where it intersects the City Limit line of the City of Columbia; thence, turning and running in a northerly direction along the present City Limit line of the City of Columbia and following the City Limit line of the City of Columbia to a point where it crosses to the northern side of Covenant Road; thence, turning and running in a westerly direction along the northern side of Covenant Road and the present City Limit line of the City of Columbia to the point of commencement."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R711, H2022)

No. 684

An Act To Exempt Property Of The Brotherhood Of Locomotive Engineers In The City Of Florence In Florence County From Municipal And County Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Property of Brotherhood of Locomotive Engineers in City of Florence exempt from taxes.—That property known as the Lodge Hall of the Brotherhood of Locomotive Engineers located on East Cheves Street in the City of Florence in Florence County is exempt from all municipal and county taxes so long as the property is used as a lodge hall of the Brotherhood of Locomotive Engineers and is not leased or rented for any other purpose.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R713, S461)

No. 685

An Act To Amend Act No. 714 Of The Acts Of 1956, As Amended, Relating To Magisterial Districts In Spartanburg

County, So As To Further Provide For The Number Of Districts And Magistrates.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 714 of 1956 amended—Spartanburg County magisterial districts defined.—Section 1 of Act No. 714 of the Acts of 1956, as amended, is amended by striking it in its entirety and inserting in lieu thereof the following :

"Section 1. The County of Spartanburg, not including the City of Spartanburg, is divided into thirteen magisterial districts. Their areas shall include the following :

Magisterial District No. 1—The following school districts as they existed prior to 1950: Zoar No. 1, Henson No. 73, Duncan No. 75, Ballenger No. 96, Woods Chapel No. 98, Spartanburg School District No. 79 (Greer School District 9-H).

Magisterial District No. 2—The following school districts as existed prior to 1950: Welford No. 48, Startex No. 60, Lyman No. 100, Frey No. 71.

Magisterial District No. 3—The following school districts as existed prior to 1950: Reidville No. 43, Fairmont No. 24, Abner Creek No. 59, Poplar Springs No. 64, Cashville No. 65, Pelham No. 95, Greenpond No. 93.

Magisterial District No. 4—The following school districts as existed prior to 1950: Selma No. 21, Woodruff No. 33, Switzer No. 41, Crescent No. 61, Cavins No. 51, Antioch No. 58, Casey Pearson No. 69.

Magisterial District No. 5—School District No. 12 as existed in 1950, which comprised the following districts as existed prior to 1950: Dutchman No. 89, Cross Anchor No. 15, Trinity No. 85, Hobbysville No. 88; and the following districts as existed prior to 1950: Lanham No. 91, Enoree No. 17.

Magisterial District No. 6—School District No. 6 as existed in 1950 (Fairforest area) which comprises the following districts as existed prior to 1950: Fairforest No. 2, Disputanta No. 27, Cunningham No. 42, Arcadia No. 66, Saxon No. 70, Southern Shops No. 101.

Magisterial District No. 7—School District No. 8 as existed in 1950 (Cowpens Area) which comprises the following districts as existed prior to 1950: Mt. Oliveview No. 35, Clifton No. 38, Cowpens No. 50, Lenoir No. 53, Gold Mine No. 90, Cannon No. 99.

Magisterial District No. 8—School District No. 9 as existed in 1950 (Pacolet Area) which comprises the following districts as existed prior to 1950: Whitestone No. 25, Glendale No. 39, Pacolet Mills No. 40, Pacolet No. 47.

Magisterial District No. 9—School District No. 10 as existed in 1950 (Roebuck-Pauline Area) which comprises the following districts as existed prior to 1950: Roebuck No. 18, Stone No. 19, Pauline No. 20, Moore No. 22, Friendship No. 29, West Springs No. 67 (Spartanburg County), Glenn Springs No. 82, Nesbitt No. 86, Walnut Grove No. 87.

Magisterial District No. 10—School District No. 1 as existed in 1950 (Landrum-Campobello-New Prospect Area) which comprises the following districts as existed prior to 1950: Motlow No. 5, Joseph Walker No. 9, Landrum No. 45, New Prospect No. 46, Campobello No. 49, Gowansville No. 52 (Spartanburg County), Swain No. 76.

Magisterial District No. 11—School District No. 2 as existed in 1950 (Boiling Springs Area) which comprises the following districts as existed prior to 1950: Campton No. 4, Oakland No. 7, Wolf No. 12, Valley Falls No. 37, Boiling Springs No. 54, Carlisle No. 57, Peru No. 63, Cherokee No. 62.

Magisterial District No. 12—School District No. 3 as existed in 1950 (Chesnee area) which comprises the following districts as existed prior to 1950 (Spartanburg County): Jolley No. 8, Cooley Springs No. 11, Arrowwood No. 13, Piedmont No. 14, Buck Creek No. 77, Brooklyn No. 81, Mayo No. 83, Chesnee No. 94 (Spartanburg County), Fingerville No. 80.

Magisterial District No. 13—School District No. 4 as existed in 1950 (Inman, Holly Springs and Gramling), which comprises the following districts as existed prior to 1950: Fairview No. 3, Inman No. 26, Gramling No. 31, Holly Springs No. 78."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are hereby repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R714, S462)

No. 686

An Act To Create The Starr-Iva Water Authority In Anderson County; To Define Its Service Area; To Prescribe Its Functions And Powers; To Authorize The Authority To Borrow Money; To Confer On It All Powers Contained In Sections 59-361 Through 59-415 And 59-651 Through 59-682, Code Of Laws Of South Carolina, 1952; To Make Provision For The Disposition Of The Revenues And Earnings Of The Authority; To Make It Unlawful To Hurt Or Damage The System Or Property Of The Authority Or To Obtain Water Therefrom Except In Accordance With The Regulations Of The Authority, And To Prescribe Penalties For Violations Thereof; To Provide For Elections For Members Of The Authority And For The Filling Of Vacancies Occurring During The Term Of A Member; And To Authorize The Municipalities Of Starr And Iva And Other Public Bodies And Public Agencies To Contract With The Authority.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly notes that the towns of Starr and Iva are located in Anderson County, that they are approximately five and one-half miles apart, and that they are respectively approximately nine and fourteen and one-half miles south of the City of Anderson, and that whereas Iva has a municipal water works system, Starr does not. The Iva Water Works System is dependent upon three wells and Starr is dependent on private wells. The increased demand for domestic, commercial and industrial water and the lessening of underground sources of water supply have created a problem which renders it difficult for the two towns to obtain water in the quantities needed. Frequently wells must be bored to greater depths than formerly, involving more cost in their establishment and added cost in pumping water to the surface. The problem has received engineering and other study, and recommendations have been made that a water authority be created on behalf of the two towns. The plan contemplates that treated water be purchased from the Duke Power Company, Anderson, South Carolina, delivered to the authority at a point near the Fiberglas Plant and piped to the towns of Starr and Iva.

The two towns are located on the highway known as South Carolina Highway No. 81 on which are located a number of residences and small commercial enterprises. It therefore appears that the pro-

posed plan would not only afford a solution to the problem of water supply for the towns of Starr and Iva, but would create a potential for other users.

The plan approved by this act indicates the desirability of creating an independent public agency in the form of an authority which would own and operate the proposed system and which would not only provide a source of supply of water for the towns of Starr and Iva, but which would serve all others who could be conveniently and economically served within a service area defined. To accomplish this purpose this act creates the Starr-Iva Water Authority, and authorizes it to undertake the venture herein described and finance it through a sale of water revenue bonds.

SECTION 2. Starr-Iva Water Authority created—powers and duties.—There is hereby created a body corporate and politic of perpetual succession to be known as the Starr-Iva Water Authority (in this act called the authority). It shall be the function of the authority to effect the construction of a water works system, utilizing therefor, water purchased from Duke Power Company, Anderson, South Carolina, at such convenient point or points as the authority and Duke Power Company shall select, to effect the flow of water through pipes to the towns of Starr and Iva, and to such other domestic, commercial, or industrial users who can be conveniently and economically served within the service area of the authority. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions, and enlargements to any of them shall be referred to in this act as the system. The authority shall have the further functions of the duties prescribed by this act, and shall have all of the powers herein granted.

SECTION 3. Service area.—The service area of the authority shall be that section of Anderson County beginning at the intersection of the center line of South Carolina State Highway No. 81 and State Road No. 49; thence due east 1320 feet; thence southerly parallel to, and 1320 feet generally east of the center line of South Carolina State Highway No. 81 to the town limits of Starr, South Carolina; thence in a clockwise direction around and following the town limits of Starr, South Carolina, to a point 1320 feet east of the center line of South Carolina Highway No. 81; thence southerly parallel to and 1320 feet

east of South Carolina Highway No. 81 to its intersection with the town limits of Iva, South Carolina; thence in a general westward direction counterclockwise around the northern town limits of Iva, South Carolina, to a point 1320 feet west of South Carolina Highway No. 81; thence northerly parallel to and 1320 feet west of the center line of South Carolina Highway No. 81 to the town limits of Starr, South Carolina; thence in a counterclockwise direction around the town limits of Starr, South Carolina, to a point 1320 feet west of the center line of South Carolina Highway No. 81; thence in a northerly direction parallel to and west of South Carolina Highway No. 81 to a point 1320 feet due west of the intersection of the center lines of South Carolina Highway No. 81 and State Road No. 49; thence due east 1320 feet to the point of beginning. The service area shall also include all of both Starr and Iva, and that area within one mile from the town limits of both Starr and Iva which are not encompassed within the area first described.

The area herein described shall be set forth and delineated on a plat thereof which shall be made. The plat shall be filed in the offices of the Auditor and Treasurer of Anderson County. No sales of water to agencies other than the town of Iva and the residents of Starr shall be made until the plat establishing the service area of the authority thusly has been filed.

SECTION 4. Members — appointments — terms — vacancies—officers—compensation.—The authority shall consist of a board of five members, none of whom shall be officers of either the municipalities of Starr or Iva. The members shall be appointed by the Governor upon recommendations made in the following manner: two persons who are registered electors of the service area shall be recommended for office on the authority by the City Council of Starr and two persons who are registered electors of the service area shall be recommended by the Town Council of Iva; a fifth member shall be recommended by a majority of the other four members so recommended. In the event that the four members first named shall be unable to agree upon a fifth member, the two recommended by Starr shall select a registered elector living within the service area, and the two recommended by Iva shall select a registered elector living within the service area. Thereupon lots shall be cast to determine the name of the person to be recommended to the Governor as the fifth member of the authority. Immediately following the appointment of the five members of the authority they shall meet and organize by electing

one of their members as chairman, a second as vice chairman, and a third as secretary. The terms of office of the chairman, vice chairman and secretary shall be for one year, provided that the terms of the initial officers shall expire on June 30, 1963. In order that the office of chairman shall be rotated, no chairman shall immediately succeed himself, and not less than one full year shall expire before one, who has held the office of chairman, shall again become chairman.

Following their organization, four of the members shall determine by lot the duration of the initial terms as members of the authority which they shall hold. Two members of the authority shall hold office until June 30, 1963, one of whom was recommended by the City Council of Starr and the other one being recommended by the Town Council of Iva; two shall hold office until June 30, 1965, one of whom was recommended by the Town Council of Starr and the other one being recommended by the Town Council of Iva; and the fifth shall hold office until June 30, 1967, this member being the member recommended by a majority of the other four members.

Immediately following the organization, the secretary shall certify to the Secretary of the State of South Carolina the terms which have been allotted the five initial members of the authority, and the Secretary of State shall enter such certificate upon his records and appropriate commissions shall thereupon be issued by the Governor and the Secretary of State.

Upon the expiration of the term of office of any member of the authority a successor shall be elected by the patrons of the water authority, all of whom shall be qualified electors. The term "patrons of the water authority" shall include all persons who are water patrons of any municipality or other public agency furnished water by the authority. The elections for successors as members of the authority shall be held by the election commissioners of Anderson County who shall provide sufficient ballots at each voting place and shall appoint box managers and other necessary election officials. The election shall be held at least thirty days before the expiration of any term; *provided*, however, in case of a vacancy before the expiration of any term of office the successor shall be appointed by the other four members to serve until the next regular election. The election shall be advertised in a newspaper of local circulation in the area concerned and such advertisement shall appear at least once a week for two weeks at least fifteen days prior to the holding of the

election. Expenses of holding the election shall be paid from the funds of the authority. The successors of the members whose terms shall expire in 1963 and one member being elected in 1965 shall come from the area known as the Starr area and the other member being elected in 1963 and the other member being elected in 1965 shall come from the area known as the Iva area. *Provided*, further, that the member being elected in 1967 and whose term runs for a period of six years shall be elected from the area at large, alternating between Starr and Iva.

For the purpose of dividing the water district into areas known as Starr area and the Iva area, the following boundaries are prescribed: The Starr area shall begin at the cross road just north of the Cresent High School and shall include all of the area within the boundaries of the authority north to the beginning point at Fiberglas. The Iva area shall include all of the area within the town limits of Iva and the area within the boundaries of the authority north to the cross road at Cresent High School.

Each member of the authority shall receive five dollars per meeting not to exceed one meeting per month and not to exceed sixty dollars per year.

Notwithstanding the expiration of the term of office of any member of the authority he shall continue to serve until his successor shall have been elected, appointed and qualified, but any delay in appointing a successor shall not extend the term of such successor.

SECTION 5. Not to compete with existing systems.—To the end that the authority shall not unduly compete with the existing public water works system of Iva, the authority shall not effect sales that will compete with the existing lines of Iva.

SECTION 6. Powers—further.—In order that the authority shall be fully empowered to construct the system, to operate it, and enlarge and extend it, within the limits of the service area, it shall have the following powers:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for its meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.

(7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dykes, dams, and reservoirs.

(8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.

(9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.

(10) To sell water for industrial or domestic use.

(11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.

(12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations or public bodies or agencies, including the agency operating the municipal water system of Iva.

(13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.

(14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the authority.

(15) To lease or sell and convey lands, or interests therein.

(16) To make use of county and State highway rights-of-way in which to lay pipes and lines, in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and State highways wherever necessary to construct the system, under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions be deemed to amend and revise correspondingly the powers in this paragraph.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction, engineering, legal and other services, with or without competitive bidding.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions, and improvement thereto, including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation, such sum as is needed to supply working capital to place the system in operation, and all other expenses of any sort that the authority may incur in establishing, extending and enlarging the system. Neither the full faith and credit of the State of South Carolina, nor of the municipalities of Starr and Iva, in Anderson County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded to that effect. Neither the members of the authority, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed the authority shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the powers conferred upon the authority by such code provisions, the authority may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by either such statute. Specifically, and notwithstanding contrary provisions in any of such code provisions, if contrary provisions there be, the authority may:

(1) Disregard any provision requiring that bonds have serial maturities, and issue bonds with such maturities as the authority shall determine.

(2) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the authority.

(3) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(4) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or types of securities.

(5) Dispose of all obligations at public or private sale, and upon such terms and conditions as it shall approve.

(6) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the authority shall approve.

(7) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(8) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation, or any subdivision or division of the State.

(9) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(10) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and its consequences may be waived.

SECTION 7. Rates not to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any State bureau, board, commission or like instrumentality or agency thereof.

SECTION 8. Exempt from taxes.—All property of the authority shall be exempt from all ad valorem taxes levied by the State, County or any Municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 9. Fiscal year—audit.—The authority shall conduct its affairs on the fiscal year basis employed by the State, viz., its fiscal year shall begin on July first of each year and shall end on the thirtieth day of June of the succeeding year. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the authority. Copies of such audits incorporated into an annual report of the authority, shall be filed with the Auditor and the Treasurer of Anderson County, and with the Secretary to the Legislative Delegation of Anderson County.

SECTION 10. Certain acts unlawful—penalties.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system or the authority, or any part thereof, or any machinery, apparatus or equipment of the authority, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the authority. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days in the discretion of the court, and shall be further liable to pay all damages suffered by the authority.

SECTION 11. Contracts for service.—The municipalities of Starr and Iva and all public bodies and public agencies now or hereafter operating water distribution systems in Anderson County shall be fully empowered to enter into contracts to buy water from the authority. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the authority and to the contracting municipality, public body or public agency.

SECTION 12. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the obligations of any contract made by the authority pursuant to any power conferred by this act.

SECTION 13. Saving clause.—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

SECTION 14. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R715, S476)

No. 687

An Act To Ratify The Amendment To Section 5 Of Article X Of The Constitution, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit Orangeburg School District No. 6 Of Orangeburg County To Incur Bonded Indebtedness Up To Fifteen Per Cent Of The Assessed Value Of The Taxable Property Therein.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Orangeburg School District 6.—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a Joint Resolution appearing as No. 1099 of the Acts of 1960, having been submitted to the qualified electors at the general election in 1960, in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Article X, Section 5, of the Constitution of South Carolina, 1895, the following: "*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to Orangeburg School District No. 6 of Orangeburg County, the State of South Carolina, and that the school district may incur bonded indebtedness for school purposes to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein."

Ratified the 6th day of February, 1962.

(R718, H2035)

No. 688

An Act To Amend Section 19-111, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Renunciation Of Dower, So As To Delete Therefrom The Requirement Of An Official Seal And To Provide That The Absence Of A Seal In Renunciations Heretofore Or Hereafter Made Shall Not Invalidate Any Renunciation Of Right Of Dower.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 19-111, 1952 Code, amended—renunciation of dower—procedure.—Section 19-111, Code of Laws of South Carolina, 1952, as amended, is further amended by changing the comma appearing immediately after the figures “19-114” to a period and striking the remaining words of the sentence which are “and affix his official seal, if any”; and by adding at the end of the first paragraph of the section the following: “No renunciation of the right of dower, heretofore or hereafter made, shall be held invalid because of the absence of the official seal of the person administering the oath.” When so amended Section 19-111 shall read as follows:

“Section 19-111. Any woman who has an inchoate right of dower in any lands in this State, whether she be of lawful age or minor, may renounce and relinquish her right of dower by acknowledging it in writing before any officer of this State, or of the state in which the renunciation is executed, or of the United States, who is authorized by law to administer oaths. The officer shall append to the writing his certificate in the form prescribed by Section 19-114. No renunciation of the right of dower, heretofore or hereafter made, shall be held invalid because of the absence of the official seal of the person administering the oath.

When recorded in the county where the real estate is located, the renunciation shall be effective to convey away, bar and terminate the dower right of the woman, although she has executed no deed of conveyance for that purpose.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R719, H2082)

No. 689**An Act To Amend Section 1 Of Act No. 297 Of The Acts Of 1959, As Amended, Relating To The Board Of Review For Tax Assessments In Berkeley County, So As To Further Provide For Membership On The Board.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 297 of 1959 amended—Board of Review for Tax Assessments created in Berkeley County—members and officers.—Section 1 of Act No. 297 of the Acts of 1959, as amended by Act No. 105 of 1961, is further amended by striking the following beginning on line two: “which shall be composed of seven members who shall be appointed by the Governor upon the recommendation of a majority of the Berkeley County Legislative Delegation. The members shall serve for terms of two years and until their successors are appointed and qualify” and inserting in lieu thereof the following: “The board shall be solely composed of the following ex officio members: the mayors of all incorporated municipalities in Berkeley County, the chairman of any public service district in Berkeley County and the Chairman of the Berkeley County Development Board.”

Amend the section further by striking out the last sentence in its entirety. The section when amended shall read as follows:

“Section 1. There is hereby created a Board of Review for Tax Assessments in Berkeley County. The board shall be solely composed of the following ex officio members: the mayors of all incorporated municipalities in Berkeley County, the chairman of any public service district in Berkeley County and the Chairman of the Berkeley County Development Board. The board shall elect such officers and adopt such methods of procedure as it deems necessary for carrying out its functions.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R721, H2089)

No. 690**An Act To Exempt Ornam Masonic Lodge No. 38 Of Bamberg And Ehrhardt Masonic Lodge In Bamberg County From County Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Masonic Lodges in Bamberg County exempt from taxes.—Ornam Masonic Lodge No. 38 of Bamberg and Ehrhardt Masonic Lodge of Bamberg County are exempt from the payment of county taxes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R726, H1933)

No. 691**An Act To Provide Annual Leave For State Employees.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Annual leave for State employees—compensation of.—Any full-time or permanent State employee shall be entitled to annual leave with pay which shall be computed as follows :

For the first ten years of State service an employee shall earn one working day's leave for each month of full-time employment per year. Thereafter, such employee shall earn an additional working day of annual leave for each year of continuous service. No State employee shall earn or take more than twenty-four working days of annual leave in any one year, nor shall any employee be required to use all working days of annual leave in any one year. However, any such earned and unused annual leave may be accumulated as terminal leave, but not to exceed twenty-four days. It shall be at the discretion of the department heads to determine the maximum number of consecutive days any employees may have in any one period of leave.

SECTION 2. Salary payments for accrued leave upon termination of employment.—On the termination for any reason of the person's employment with the State Government, such employee or his

next of kin, if he is deceased, shall be entitled to salary payments for any earned allowable and unused accrued leave of such employee.

SECTION 3. Not to affect certain agencies.—Any department or agency of the State Government, including the South Carolina Public Service Authority, having an existing merit system, may continue to operate under the terms of such system, and the provisions of this act shall not apply to persons employed by a State department or agency, including the South Carolina Public Service Authority, operating under a system which provides more liberal annual leave benefits.

SECTION 4. Additional employees not to be hired.—No department head shall hire additional employees to replace employees on annual leave, but vacancies may be filled during periods of terminal leave.

SECTION 5. Credit for prior service.—All employees of the State as of the effective date of this act shall receive full credit for employment prior to such date.

SECTION 6. Working days defined.—For the purpose of this act, working days shall include every day of each week except Sunday and legal holidays.

SECTION 7. Not to reduce length of present vacation.—Nothing in this act shall be construed to reduce the number of days of annual vacation any employee is entitled to as now provided by law.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect as of January 1, 1962.

Approved the 9th day of February, 1962.

An Act To Increase The Terms Of Office Of The Intendant And Wardens Of The Town Of Johnsonville In Florence County From Two To Four Years, And To Repeal Act No. 631 Of 1956 Relating To Such Terms.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of intendant and wardens for Town of Johnsonville.—Notwithstanding the provisions of Section 47-112, Code of Laws of South Carolina, 1952, the terms of the intendant and wardens of the Town of Johnsonville in Florence County shall be for a period of four years and until their successors are elected and qualify, commencing with the terms of office of the intendant and wardens to be elected in May, 1962.

SECTION 2. Repeal—Act 631 of 1956 repealed.—Act No. 631 of 1956 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R731, S509)

No. 693

An Act To Amend Act No. 179 Of 1961 Relating To Magistrates' Juries In Jasper County So As To Increase The Number Of Jurors To Be Drawn.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 179 of 1961 amended—drawing of jurors.—Section 3 of Act No. 179 of the Acts of 1961 is amended by striking the word "eighteen" on line three and inserting in lieu thereof the word "twenty-four", so that when so amended the section shall read as follows:

"Section 3. The Jasper County Jury Commission shall on Wednesday morning prior to the term of magistrates' courts draw a list of twenty-four jurors from the several jury boxes, forward a copy of such list to the several magistrates and post a copy within the courthouse. The jurors drawn shall serve at any term called within that jurisdiction during that month."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R732, S448)

No. 694**An Act To Provide That No Public Office Shall Be Filled Until The Successful Candidate First Files Certain Affidavits Relating To Procurement Of Votes.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Successful political candidates to file affidavits.—

To the end that all candidates shall receive equal protection of the laws of this State, in addition to the requirements provided for in Section 23-265, Code of Laws of South Carolina, 1952, no successful candidate in any general, special or primary election shall be eligible to fill any public office in this State until he shall file an affidavit to the effect that he has not given away money, beer or alcoholic beverages or offered anything of value to procure votes. The affidavit shall be filed with the clerk of court of common pleas for the county in which he is seeking office or with the Secretary of State in the event the office he is seeking includes more than one county.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R733, S477)

No. 695**An Act To Extend The Police Authority Of Officers Of The Towns Of Batesburg And Leesville In Lexington County Under Certain Conditions And To Provide For The Disposition Of Arrests Made By Them.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jurisdiction of police officers at Batesburg-Leesville High School.—Police officers of Batesburg and Leesville in Lexington County shall have the same police authority on the grounds of the Batesburg-Leesville High School and appurtenances thereto as they have in their respective towns on the occasions when they are assigned police duty on such grounds.

SECTION 2. Arrests.—All arrests made by these officers on such grounds and appurtenances shall be disposed of as are similar arrests made by the Sheriff of Lexington County.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R734, S487)

No. 696

An Act To Create The Laurens County Airport Commission And To Define Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County Airport Commission created—members—appointments—terms—officers—minutes.—There is hereby created the Laurens County Airport Commission which shall consist of five members to be appointed by a majority of the Laurens County Legislative Delegation, including the Senator. The terms of office of the members of the commission shall be for five years and until their successors are appointed and qualified, except that of the members first appointed, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. The appointment of the initial members of the commission shall be made before July 1, 1962. The commission shall elect from its membership a chairman and a secretary and shall keep a record of the minutes of its meetings.

SECTION 2. Powers and duties.—The commission shall act for Laurens County in all matters related to airports in the county and shall have the same powers and authorities as those given to counties generally by the Uniform Airports Act. The commission may lease so much of any airport property under its control as may be necessary for the operation of the airport to the South Carolina Aeronautics Commission on such terms and conditions as may be determined by joint agreement of the commission and the South Carolina Aeronautics Commission. The commission may enter into contracts under such conditions as it may deem proper for the industrial development of any part of the airport lands which are not necessary for the operation of the airport; *provided*, that no such industrial use shall interfere with the operation of the airport.

SECTION 3. Deposit and expenditure of funds.—The commission shall deposit all funds received by it in a bank wherein such deposits are fully protected by insurance. Funds of the commission shall be expended only upon the approval of a majority of the members of the commission. The commission shall, on or before the first day of February of each year, file an itemized statement of all its receipts and disbursements with the Treasurer of Laurens County.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R736, S489)

No. 697

An Act To Amend Section 65-1783, Code Of Laws Of South Carolina, 1952, Relating To Examination By The County Auditor Of Plats Filed For Record In Sumter County, So As To Provide That A Copy Of Such Plats Be Filed With The Auditor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sumter County—copies of plats to be filed with auditor.—Section 65-1783, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following: "A copy of each such plat shall be filed with the auditor at the time of submission to him of the original."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R737, H1345)

No. 698

An Act To Amend Section 10-2551, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Payment Of Money Due Minors, So As To Eliminate The Origin, Source Or Nature Of The Assets.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 10-2551, 1952 Code, amended—guardians or committees not necessary for payment of certain monies to minors and other incompetents.—Section 10-2551, Code of Laws of South Carolina, 1952, as amended, is further amended by striking the section in its entirety and inserting in lieu thereof the following:

“Section 10-2551. When a minor or other incompetent becomes entitled to a sum of not exceeding one thousand dollars and has no general or testamentary guardian or committee to whom such sum may be paid, if, in the judgment of the court, the sum is too small to warrant the expense of the appointment of a guardian or committee, such court or the judge thereof may make an order for the same to be paid the minor or other incompetent or the father or mother of such minor or other incompetent, or if the father and mother be dead, to some other person for the benefit of such minor or other incompetent as to such court or judge may seem best. *Provided*, that when a guardian or committee has been appointed for a minor or other incompetent and an accounting is filed with the probate court and the corpus then remaining for the benefit of the minor or other incompetent is one thousand dollars or less the court, in its discretion, may order the corpus to be paid to the minor or other incompetent or the father or mother of such minor or other incompetent or, if the father or mother be dead, to some other person for the benefit of such minor or other incompetent as to such court may seem best, after which the guardian or committee may be discharged as provided by law.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

An Act To Amend Section 72-183, Code Of Laws Of South Carolina, 1952, Relating To Receiving And Receipting For Certain Payments Under Workmen's Compensation Statutes, So As To Increase The Amount Which May Be Received And Receipted For.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 72-183, 1952 Code, amended—receipts for workmen's compensation payments.—Section 72-183, Code of Laws of South Carolina, 1952, is amended by striking on lines 7 and 15 the words "three hundred" and inserting in lieu thereof the words "one thousand" so that, when so amended, the section shall read as follows:

"Section 72-183. Whenever payment of compensation is made to a widow or widower for her or his use or for her or his use and the use of a child or children, the written receipt thereof of such widow or widower shall acquit the employer.

Whenever payment is made to any person eighteen years of age or over, the written receipt of such person shall acquit the employer. When an infant or minor under the age of eighteen shall be entitled to receive a sum amounting to not more than one thousand dollars as compensation for injuries, or as a distributive share by virtue of this Title, the father, mother or natural guardian upon whom such infant or minor shall be dependent for support may receive and receipt for such moneys to the same extent as a guardian of the person and property of such infant or minor duly appointed by proper court and the release or discharge of such father, mother or natural guardian shall be a full and complete discharge of all claims or demands of such infant or minor thereunder.

Whenever any payment of over one thousand dollars is made to a minor under eighteen years of age or to a dependent child over the age of eighteen years, it shall be made to some person or corporation appointed by the probate court as a guardian and the receipt of such guardian shall acquit the employer."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R741, H2148)

No. 700

An Act To Amend Item 1 Of Section 15-279, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms Of Court In The Tenth Judicial Circuit, So As To Provide That Each Term Of Court In Anderson County Shall Be For Two Weeks.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item 1 of Section 15-279, 1952 Code, amended—length of terms of court for Anderson County.—Item 1 of Section 15-279, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof the following: "Each term of court shall be for two weeks."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R743, H1716)

No. 701

An Act To Exempt From Taxation Property Owned By Union Local No. 1386, Textile Workers Union Of America, AFL-CIO, In York County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Union Local No. 1386 in York County exempt from taxes.—Real estate and furnishings therein, owned by Union Local No. 1386, Textile Workers Union of America, AFL-CIO, in York County, shall be exempt from taxation so long as such property is used for the purposes for which this organization exists and is not used for any commercial purposes.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R746, H2150)

No. 702

An Act To Amend Section 14-2208, Code Of Laws Of South Carolina, 1952, Relating To The Disposition Of Certain Fines Collected In The Circuit Court Of Greenwood County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-2208, 1952 Code, amended—Greenwood County—disposition of certain fines.—Section 14-2208, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following :

“Section 14-2208. All fines collected in the Circuit Court in Greenwood County shall in all cases where the arrest was made or the charges preferred by the police officers of the City of Greenwood or of the Towns of Ninety Six, Troy or Hodges, and where they appear as material witnesses in such cases, be equally divided, one-half thereof being paid into the county treasury and one-half thereof being paid to the City Clerk and Treasurer of the City of Greenwood or the City Clerks of the Towns of Ninety Six, Troy or Hodges, as the case may be.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R749, H2166)

No. 703

An Act To Authorize The Clerk Of Court For Orangeburg County To Destroy Certain Chattel Mortgages.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Orangeburg County Clerk of Court may destroy old chattel mortgages.—The Clerk of Court for Orangeburg County may annually destroy all chattel mortgages which have been of record for at least twelve years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R751, H2130)

No. 704

An Act To Create The Union County Playground And Recreation Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Union County Playground and Recreation Commission created — members — appointments — chairman — terms — vacancies.—There is hereby created the Union County Playground and Recreation Commission, hereafter referred to as “the commission,” which shall be composed of five members. The members of the commission shall be appointed by the Governor upon the unanimous recommendation of the Union County Legislative Delegation. The members of the commission shall elect a chairman from within their membership. For the transaction of regular commission business three commissioners shall be present, which will constitute a quorum. Prior to holding a special meeting all members of the commission shall receive notice in writing. The terms of office of members of the commission shall be for two years and until their successors are appointed and qualify. Any vacancies shall be filled in the same manner as provided for original appointment for the unexpired portion of the term.

SECTION 2. Powers and duties.—The commission is hereby empowered to assume control and authority over that portion of the New Sims High School grounds belonging to the Union County schools around and adjacent to the new swimming pool. The unanimous decision of the Union County Legislative Delegation over any dispute arising over the demarcation of the premises shall be final. Such facilities as the commission provides shall be available and shall be utilized under such reasonable regulations as the commission shall from time to time promulgate. Reasonable charges for use of the facilities may be prescribed by the commission.

SECTION 3. Gifts and grants.—The commission is hereby authorized to accept such gifts and grants as may be tendered and which are considered by the commission to be beneficial and which will further the recreational program of the county as provided by this act.

SECTION 4. Use of facilities.—The commission is authorized to allow the use of the facilities under its control for any educational, professional or amateur athletic event, or recreational program which

the commission may deem proper, and the commission is authorized to sponsor any such contest or program.

SECTION 5. Deposits and expenditures.—The commission shall deposit all money under its control with the Union County Treasurer. Such money shall be kept in a special account. At least three members shall approve any vouchers before payment.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R753, H2138)

No. 705

An Act To Amend Section 14-3461, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Election And Terms Of The Township Commissioners In Union County, So As To Provide For The Filling Of Vacancies Of The Commissioners.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-3461, 1952 Code, amended—Union County Township Commissioners—elections—terms—vacancies.—Section 14-3461, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof the following: "Vacancies on the board of township commissioners shall be filled by appointment of the Governor upon the unanimous recommendation of the Union County Legislative Delegation, for the unexpired portion of the term only.", so that when amended the section shall read as follows:

"Section 14-3461. Beginning with the general election in 1954 and at each general election thereafter, one township commissioner shall be elected by the qualified electors in each of the eight townships of Union County. The terms of office of such township commissioners shall begin on the first Monday in December following the general election at which they are elected, and shall continue for a period of two years and until their successors are duly elected and qualified. Vacancies on the board of township commissioners shall be filled by appointment of the Governor upon the unanimous recommendation of the Union County Legislative Delegation, for the unexpired portion of the term only."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R756, H1116)

No. 706

An Act To Amend Section 4 Of Article II Of Act No. 836 Of The Acts Of 1952, Revising Laws Relating To The Hospitalization, Detention, Guardianship, Care And Treatment Or Training Of Mentally Ill And Of Mentally Deficient Persons, So As To Provide For Seizure By A Police Officer Of Persons Believed To Be Insane Who Cannot Be Located For Examination By Designated Examiners.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 4, Article II of Act 836 of 1952 amended—examination and seizure of persons thought to be mentally ill.—Section 4 of Article II of Act No. 836 of the Acts of 1952 is amended by adding the following new subsection at the end thereof:

“(c) If a person believed to be mentally ill cannot be examined by the two designated examiners by reason of the fact that his whereabouts are unknown or for any other reason, any interested party, other than one of the designated examiners, may execute an affidavit stating that he believes the person to be mentally ill and the ground for such belief, and stating that the usual procedure for examination cannot be followed and the reason therefor. Upon presentation of such an affidavit, the judge of probate for the county in which the person is resident or present may require any police officer to take the person into custody for not exceeding twenty-four hours during which detention he shall be examined by the two court designated examiners. Provided the person arrested shall have the right to demand representation by an attorney or bail or an immediate examination by designated examiners, and if same be not granted the person arrested shall be released.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R757, H1348)

No. 707

An Act To Amend Section 6 Of Article IV Of Act No. 836 Of The Acts Of 1952, Relating To The Mentally Ill, So As To Provide For Reconfinement Of Patients By Order Of Judges Of Probate.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6, Article IV of Act 836 of 1952 amended—probate judges may order reconfinement of mental patients.—Section 6 of Article IV of Act No. 836 of the Acts of 1952 is amended by adding a new subsection to read as follows :

“(c) The judges of probate of the state may issue an order for the immediate reconfinement of a conditionally discharged patient who has failed to fulfill the conditions of the discharge, or any patient who has left a state hospital without permission, if the judge has reason to believe that the conditions justifying confinement continue to exist. The order shall authorize any police officer, preferably in civilian clothes, to take the patient into custody and transport him to the facility designated by the order.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R758, H1350)

No. 708

An Act To Provide For The Issuance Of Marriage Licenses To Certain Persons Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Issuance of marriage licenses to persons under eighteen—conditions.—Notwithstanding the provisions of Section 20-24, Code of Laws of South Carolina, 1952, as amended, a marriage license may be issued to an unmarried female and male under the age of eighteen years who could otherwise enter into a marital contract, if such female be pregnant or has borne a child, under the following conditions :

(a) The fact of pregnancy or birth is established by the report or certificate of at least one duly licensed physician;

(b) She and the putative father agree to marry;

(c) Written consent to the marriage is given by one of the parents of the female, or by a person standing *in loco parentis*, such as her guardian or the person with whom she resides, or, in the event of no such qualified person, with the consent of the Superintendent of the Department of Public Welfare of the county in which either party resides;

(d) Without regard to the age of the female and male; and

(e) Without any requirement for any further consent to the marriage of the male.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R759, H2038)

No. 709

An Act To Amend Act No. 439 Of 1961, Relating To The Assessment Of Merchant's Inventories, Equipment, Furniture, And Fixtures, So That The Result In Assessment Will Be Reduced To Fourteen Per Cent Over A Period Of Three Years And Directing The Tax Commission To Fix Each Year The Values Of Inventories Of Persons Having Goods Or Wares For Sale At Retail Or At Wholesale.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 439 of 1961 amended—formula used to assess merchants' inventories and equipment to be reduced.—Section 1 of Act No. 439 of the Acts and Joint Resolutions of 1961 is amended by striking out all of the section and inserting in lieu thereof the following :

“Section 1. The South Carolina Tax Commission is hereby directed to adjust the formula used to assess merchant's inventories and merchant's equipment, furniture, and fixtures, so that the result in as-

essment will be reduced to eighteen per cent the first year and to be reduced ratably over a period of the next two years to arrive at a fourteen per cent assessment ratio."

SECTION 2. Section 2 of Act 439 of 1961 amended—Tax Commission to fix value of inventories and equipment.—Section 2 of Act No. 439 of the Acts and Joint Resolutions of 1961 is amended by striking out all of the section and inserting in lieu thereof the following:

"Section 2. The Tax Commission shall fix the value of the inventories, machinery, equipment, furniture and fixtures for each year, and they shall certify such valuation to the several county auditors who shall place it on their records as the value of such property for taxation. Nothing herein shall be construed to affect the provisions of Section 65-1663, Code of Laws of South Carolina, 1952."

SECTION 3. Time effective.—This act shall be effective as of January 1, 1962.

Approved the 22nd day of February, 1962.

(R763, H2151)

No. 710

An Act To Provide a Civil Defense Advisory Commission For Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Civil Defense Advisory Commission created for Greenwood County—members—terms.—There is hereby created the Civil Defense Advisory Commission of Greenwood County, which shall be composed of ten members appointed by the Legislative Delegation of Greenwood County for terms of four years each, as follows: two members representing the City of Greenwood, upon recommendation of the mayor of the city; one member each representing the Towns of Hodges, Ninety Six and Troy, upon recommendation of the mayors thereof; one member each representing the Ware Shoals and the South Greenwood areas of the county; one member representing the medical profession of the county, upon recommendation of the Medical Society of Greenwood County; and two members representing the rural areas of the county. The terms of members heretofore appointed shall expire January 1, 1966.

SECTION 2. Powers and duties.—It shall be the duty of the Commission to formulate, supervise and administer a civil defense program for Greenwood County pursuant to the State laws providing for such a program and in cooperation with State and Federal civil defense agencies and programs. The Commission may purchase equipment, employ, direct and discharge personnel, including a director of the county program, enter into contracts and do such other things as may be necessary in order to carry out the provisions of this act.

SECTION 3. Officers — meetings — reports.—The Commission shall elect a chairman and such other officers as may be deemed expedient and may make such rules and regulations for the administration of the county civil defense program as it may deem necessary and advisable. The Commission shall have regular meetings, at least once quarterly, and a majority of the Commission must be present to constitute a quorum. The Commission shall annually report its activities to the county legislative delegation and to the mayors of each municipality of the county.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R765, H2164)

No. 711

An Act To Increase The Terms Of Office Of Magistrates In Sumter County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sumter County—terms of magistrates increased.—After February 15, 1962 the terms of office of all magistrates in Sumter County shall be four years. This act shall not be construed to extend the present term of any magistrate.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R768, H2189)

No. 712

An Act To Provide That No Chattel Mortgage Or Copy Thereof Shall Be Accepted For Recording In Spartanburg County Unless The Mortgage Or Copy Be So Clear And Legible As To Be Acceptable For Microfilm Records.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County—chattel mortgages not to be recorded unless legible.—No chattel mortgage or copy thereof shall be accepted for recording by the Register of Mesne Conveyance of Spartanburg County unless the mortgage or copy shall be so clear and legible as to be acceptable for microfilm records. The decision of the Register of Mesne Conveyance as to acceptability shall be final.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R769, H2190)

No. 713

An Act To Exempt The Property Of Jackson Masonic Lodge No. 53 And Jackson Shrine Club In Lancaster County From County Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Masonic Lodges and Shrine Club in Lancaster County exempt from taxes.—All property owned by Jackson Masonic Lodge No. 53 and all property owned by Jackson Shrine Club in Lancaster County shall be exempt from all county taxes so long as the property of Jackson Masonic Lodge No. 53 is used as a Masonic lodge, and so long as the property of Jackson Shrine Club is used as a Shrine club.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R775, S516)

No. 714

An Act To Exempt Citizens Of Georgetown County On Active Duty In The Armed Forces Of The United States From The Payment Of County Taxes On Certain Personal Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Georgetown County—tax exemptions for members of armed forces.—All citizens of Georgetown County who are serving on active duty in the Armed Forces of the United States of America are exempted from all county taxes on motor vehicles for and during the period that such citizens are in such armed forces.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R776, S517)

No. 715

An Act To Amend Act No. 634 Of 1956, Relating To The Appointment Of A Deputy Judge Of Probate For Kershaw County, So As To Further Provide For Such Appointment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 634 of 1956 amended—deputy judge of probate for Kershaw County.—Section 1 of Act No. 634 of 1956 is amended by adding at the end thereof the following: "*Provided*, that upon approval of the county legislative delegation such deputy may serve for a period in excess of thirty days." The section when amended shall read as follows:

"Section 1. The Judge of Probate for Kershaw County is authorized to designate a deputy from his staff to act in his behalf for a period of not exceeding thirty days in any calendar year. *Provided*, that upon approval of the county legislative delegation such deputy may serve for a period in excess of thirty days."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R777, S553)

No. 716**An Act To Abolish Pine Grove Voting Precinct In Colleton County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Colleton County—Pine Grove Voting Precinct abolished.—Notwithstanding the provisions of Section 23-168, Code of Laws of South Carolina, 1952, the Pine Grove Voting Precinct in Colleton County is hereby abolished. The boundaries of Berea Voting Precinct in Colleton County are hereby extended to include the area heretofore included in Pine Grove Voting Precinct.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R778, S554)

No. 717**An Act To Amend Section 6 Of Act 291 Of 1961, Relating To The Board Of Rural Fire Control Of Newberry County, So As To Increase The Amount The Board May Borrow.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6 of Act 291 of 1961 amended—borrow money—payment.—Section 6 of Act 291 of 1961 is amended by striking out the word "sixty" on line 7 and inserting in lieu thereof the words "one hundred forty". The section when amended shall read as follows:

"Section 6. The Director and Supervisor of Newberry County shall borrow from time to time and in such amounts as requested by the Board of Rural Fire Control for Newberry County from the Division of Sinking Funds and Property funds for the purpose of purchasing necessary fire-fighting equipment according to the provisions of this act. The total amount of loans herein authorized shall not exceed one hundred forty thousand dollars. The loans shall be evidenced by notes signed by the treasurer and supervisor of the county and shall bear interest at the rate of four per cent per annum

and shall be payable in five equal, annual, successive instalments with the first instalment coming due one year from the date of the execution of the note or notes. The auditor of the county is directed to levy and the treasurer to collect a tax upon all the taxable property of the county sufficient to pay the loan and interest thereon. The full faith, credit and taxing power of the county are irrevocably pledged for the payment of any loan provided for in this act. The borrowers shall reserve for themselves the right to prepay part or the entire amount due at any time preceding the final payment date."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R779, S322)

No. 718

An Act To Amend Section 28-338.1, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Open And Closed Season For Hunting In Game Zone No. 7 So As To Further Provide For The Hunting Of Squirrels.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (5) of Section 28-338.1, 1952 Code, amended—squirrel season for Game Zone 7.—Subsection (5) of Section 28-338.1, Code of Laws of South Carolina, 1952, as amended, is further amended by striking it in its entirety and inserting in lieu thereof the following :

"(5) The open season for the hunting of squirrels shall be from October 1st to March 1st, inclusive;"

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R782, S533)

No. 719**An Act To Exempt The Property Included In The Saluda County Memorial Cemetery From County Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Saluda County—tax exemptions for cemetery.—The property included in the Saluda County Memorial Cemetery is hereby exempted from all county taxes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R783, H2096)

No. 720**An Act Providing For A Schedule To Be Used By The Auditor Of Spartanburg County For The Purpose Of Levying Taxes On House Trailers.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County—schedule for taxing house trailers.—Commencing January 1, 1962, the Auditor of Spartanburg County is hereby authorized and directed to use the following schedule for the purpose of levying taxes on house trailers:

Model Length	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	and Earlier
10' to 14'	150	135	120	110	100	90	80	70	65	50	
15'	160	145	130	115	105	95	85	80	70	50	
16'	170	155	140	125	110	100	90	80	70	50	
17'	180	160	145	130	115	105	95	85	75	50	
18'	190	170	155	140	125	110	100	90	80	50	
19'	200	180	160	145	130	115	105	95	85	50	
20'	210	190	170	155	140	125	110	100	90	50	
21'	220	200	180	160	145	130	115	105	95	50	
22'	230	205	185	165	150	135	120	110	100	75	
23'	240	215	195	175	155	140	125	115	105	75	
24'	250	225	205	185	165	150	135	120	110	75	
25'	260	235	210	190	170	155	140	125	115	75	
26'	270	245	220	200	180	160	145	130	120	75	
27'	280	250	225	205	185	165	150	135	125	75	
28'	290	260	235	210	190	170	155	140	125	75	
29'	300	270	245	220	200	180	160	145	130	75	
30'	310	280	250	225	205	185	165	150	135	75	
31'	320	290	260	235	210	190	170	155	140	75	
32'	330	300	270	245	220	200	180	160	145	75	

Model Length	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	and Earlier
33'	340	310	280	255	230	210	190	170	150	100	
34'	350	315	285	260	235	210	190	170	155	100	
35'	360	325	295	265	240	215	195	175	160	100	
40'	370	335	300	270	245	220	200	180	165	100	
45'	380	345	310	280	250	225	205	185	170	100	
50'	390	350	315	285	260	235	215	195	175	100	

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R789, H2205)

No. 721

An Act To Create The Allendale County Development Board; To Provide For The Appointment Of Members, Their Terms And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Allendale County Development Board created—members.—There is hereby created the Allendale County Development Board which shall be composed of seven members, and the mayors of the incorporated towns of the county shall serve ex officio. The members shall be appointed by the Governor upon the recommendation of the Allendale County Legislative Delegation for terms of four years. Any vacancy in the office of an appointed member shall be filled for the unexpired term.

SECTION 2. Officers — meetings — compensation.—The board shall meet as soon as practicable and organize itself by electing one of its members as chairman and one as secretary and treasurer. Thereafter, the board shall meet at the call of the chairman or a majority of its members. The board shall serve without compensation.

SECTION 3. Powers and duties.—The overall purpose of the board shall be to advance the general welfare of all of the people of the county. The board shall give due consideration to the discovery, conservation and advertisement of the natural and physical resources

of the county. It shall promote and encourage industrial development, commercial enterprises, private business, and the production of agricultural products most suited to the soils and climate of the county. It shall give special attention to the advertisement of agricultural products and assist in discovering markets and uses and providing facilities for the sale of these products. It shall assist in insuring stabilization in employment so as to increase the opportunities and employment of the citizens of the county, and to devise ways and means to raise the living standards of all of the people. The board shall devote special attention to and encourage the coming into Allendale County of visitors and tourists, and to that end shall advertise the natural advantages and attractions of the county, the hospitality and courtesy of its people to the end that many may become permanent residents and the people of the county may enjoy their just share of tourist trade. The board shall, in accomplishing its overall purpose, cooperate with the municipalities and civic organizations in the county and the State Development Board and make such recommendations to the legislative delegation of the county as in its judgment will aid in accomplishing the purposes of this act.

SECTION 4. Gifts and grants.—The board may accept gifts and grants of money from either private or public sources to be used in carrying out its functions.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R790, H2208)

No. 722

An Act To Amend Act No. 881 Of The Acts Of 1952, As Amended, Relating To The Public Schools In Berkeley County, So As To Create The Hanahan Administrative Area Which Shall Be Composed Of The Area Within The Hanahan Public Service District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 881 of 1952 amended—Berkeley County School District divided into administrative areas.—Section 1 of Act No. 881 of the Acts of 1952, as amended, is further

amended by striking out the word "four" on line two and inserting in lieu thereof the word "five"; by striking out the word "and" on line five and inserting a comma; and by changing the period at the end thereof to a comma and adding the following: "and Hanahan Administrative Area. The Hanahan Administrative Area shall be composed of that area included in the Hanahan Public Service District." The section when amended shall read as follows:

"Section 1. The County Board of Education of Berkeley County shall divide the Berkeley County School District into five administrative areas which shall be known as the Moncks Corner Administrative Area, the St. Stephen Administrative Area, Macedonia Administrative Area, Cross Administrative Area, and Hanahan Administrative Area. The Hanahan Administrative Area shall be composed of that area included in the Hanahan Public Service District.

The duties heretofore exercised by school trustees generally are hereby devolved upon the County Board of Education of Berkeley County."

SECTION 2. Section 2 of Act 881 of 1952 amended—trustees for Hanahan Administrative area.—Section 2 of Act No. 881 of the Acts of 1952, as amended, is further amended by adding at the end thereof the following: "The Hanahan Administrative Area shall have five advisory trustees which shall be appointed by the county board of education. The terms of office of the trustees from the Hanahan Administrative Area shall be three years, except that of the members first appointed, two shall be appointed for a term of one year, two for a term of two years and one for a term of three years."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R791, H2243)

No. 723

An Act To Amend Section 27-422 Of The 1952 Code, As Amended, Relating To Magistrates' Fees In Cases Of Bad Checks, So As To Provide An Additional Fee For Magistrates, Constables Or Sheriff In Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27-422, 1952 Code, amended—magistrates fees in certain counties for worthless checks.—Section 27-422 of the 1952 Code, as amended, is further amended by striking the word “Orangeburg” on line 2 of subitem (1) and by adding at the end of the section a new subitem to read as follows:

“(4) In Orangeburg County, magistrates three dollars and constables or sheriff three dollars and mileage as provided in item (10) of Section 27-451.” The section when amended shall read as follows: “Section 27-422. Notwithstanding the provisions of Sections 27-428 and 27-429 magistrates and constables in the counties named in this section and the sheriffs in certain of such counties may, when prosecutions of cases of violation of Section 8-176 are discontinued, by settlement or compromise, charge and receive from the defendant the following fees which shall be in addition to their salaries:

(1) In Abbeville, Bamberg, Beaufort, Chester, Clarendon, Colleton, Darlington, Georgetown, Lexington, Spartanburg, Williamsburg and York Counties, magistrates one dollar, constables one dollar and the sheriff in Georgetown County only one dollar, and mileage as in all cases provided in item (10) of Section 27-451; and

(2) In Barnwell, Cherokee, Edgefield, Florence, Hampton, Horry, Lee and Sumter Counties, magistrates one dollar and constables or sheriff (except that no such charge shall be made by the Sheriff in Hampton County) two dollars and mileage as provided in item (10) of Section 27-451; and

(3) In Richland County, magistrates five dollars and mileage as in all cases provided in item (10), Section 27-451; and

(4) In Orangeburg County, magistrates three dollars and constables or sheriff three dollars and mileage as provided in item (10) of Section 27-451.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

An Act To Amend Section 8-228 Of The 1952 Code, Relating To Limitations On Loans To Directors And Officers, So As To Except From The Provisions Thereof Soy Beans Stored In Warehouses And Evidenced By Receipts Issued Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 8-228, 1952 Code, amended—limitations on loans to bank officials.—Section 8-228 of the 1952 Code is amended to read as follows :

“Section 8-228. No director or other officer of any such bank shall borrow therefrom, except on good security, to be approved in writing by two-thirds of the whole board of directors of such bank ; and no director or other officer of any such bank shall become an endorser or surety upon any loan or credit made or extended to any other director or officer of such bank. The total liabilities to any such bank of any director, of any firm of which such director is a member or of any company or corporation of which such director is an officer shall at no time exceed one-tenth part of the amount of the capital stock of any such bank actually paid in and its surplus. This section shall not apply to loans on cotton in bale or to soy beans stored in warehouses and evidenced by receipts issued therefor by the bank to any of its directors, in which case loans may be made as in other instances.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R798, S552)

No. 725

An Act To Amend Act No. 341 Of The Acts Of 1961 Establishing A Law Library In Dillon County, So As To Make Further Provisions For The Financial Support Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 4 of Act 341 of 1961 amended—funds.—Section 4 of Act No. 341 of the Acts of 1961 is amended by striking out the word “tried” on line three, so that the section when amended shall read as follows :

“Section 4. In order to provide for the extension, maintenance and support of the law library, the sum of one dollar shall be taxed as costs on each case in the circuit and magistrate’s courts in Dillon County, except the costs shall not be charged in any case in which Dillon County is adjudged to pay all costs. Each magistrate in the

county shall monthly forward the costs taxed and collected herein to the clerk of court of the county. The costs taxed and collected shall be set apart and designated as the Dillon County Law Library and Courtroom Fund. It shall be deposited by the clerk of court in a bank designated for that purpose by the committee and shall be used solely for the purpose of extending, maintaining and operating the library. All checks on this account shall be drawn and signed by the clerk of court for the county and countersigned by the President of the Dillon County Bar Association."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R799, S561)

No. 726

An Act To Increase The Number Of Petit Jurors In Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Number of petit jurors to be drawn for Dorchester County.—Notwithstanding the provisions of Section 38-61 of the 1952 Code, as amended, the Dorchester County jury commissioners shall draw forty-six petit jurors.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R800, S562)

No. 727

An Act To Amend Sections 38-60 And 38-72 Of The 1952 Code, As Amended, Relating To Supplying Deficiencies In The Number Of Petit Jurors, So As To Dispense With The Tales Box In Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 38-60, 1952 Code, amended — tales box eliminated in Dorchester County.—Section 38-60 of the 1952 Code as amended, is further amended by adding the following at the end thereof :

“Provided, the jury commissioners of Dorchester County shall not prepare the tales box but any deficiencies in the number of petit jurors shall be drawn from the jury list prepared as provided for in Section 38-52.”

SECTION 2. Section 38-72, 1952 Code, amended—Dorchester County not to supply deficiency of jurors from tales box.—Section 38-72 of the 1952 Code, as amended, is further amended by adding at the end thereof the following :

“Provided, that the provisions of this section shall not apply in supplying any deficiencies in the number of petit jurors in Dorchester County.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R801, H1094)

No. 728

An Act To Amend Sections 22-10 And 22-11, Code Of Laws Of South Carolina, 1952, Relating To Reports Of Colleges And The State Superintendent Of Education Concerning The College Performance Of High School Graduates, So As To Provide That Such Sections Shall Be In Conformity With Sections 21-631 And 21-632, Code Of Laws Of South Carolina, 1952, As Amended.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 22-10, 1952 Code, amended—information to be furnished State Superintendent of Education.—Section 22-10, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 22-10. On or before May first of each calendar year, every high school which issues a state high school diploma shall submit

to the State Superintendent of Education in such form as he may prescribe the following data :

(1) The number of high school graduates that entered the freshman class of an institution of higher learning, either in or out of this State, for whom a first semester report has been received.

(2) A breakdown showing all courses passed by such group.

(3) A breakdown showing all courses failed by such group.

Every high school shall seek diligently to obtain such data from out-of-state institutions of higher learning. Any high school which fails to file a report or files a false report shall lose its accreditation.

Every institution of higher learning in this State shall submit to the state high school from which each freshman was graduated a report on the first semester accomplishments of each freshman."

SECTION 2. Tabulation of reports.—Section 22-11, Code of Laws of South Carolina, 1952, is amended to read as follows :

"Section 22-11. After such reports have been received, the State Superintendent of Education shall cause them to be tabulated so as to show the academic performance of graduates from the respective high schools who entered institutions of higher learning. When such tables have been prepared, they shall be included in the Annual Report of the State Superintendent of Education as presented to the General Assembly. The State Superintendent of Education shall acquaint the proper officials of the institutions of higher learning with the requirements of Section 22-10."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

An Act To Provide For The Catching Of Nongame Fish With Nets In Game Zone 8, And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Season for catching nongame fish with nets in Game Zone 8.—It shall be lawful to catch nongame fish with nets

having a mesh of not less than three and one-half inches in the clear waters of Game Zone 8, between October fifteenth and March first, from sunrise on Wednesdays to sunset on Saturdays.

SECTION 2. Closing of.—The season for the catching of nongame fish with nets may be closed by the Wildlife Resources Department within any county of the zone upon the recommendation of a majority of the legislative delegation.

SECTION 3. Penalties.—Any person violating the provisions of this act shall, upon conviction, be deemed guilty of a misdemeanor and punished by a fine of not more than one hundred dollars or imprisonment for not more than thirty days.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R804, H2270)

No. 730

An Act To Divide School District No. 3 Of Anderson County Into Four Areas, And To Provide For The Election Of A Board Of Trustees For The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County School District 3 divided into areas.—School District No. 3 of Anderson County is hereby divided into four areas as follows:

Area No. 1: Beginning at the junction of State Highway No. 81 with the southern boundary of Anderson County and the northern boundary of Abbeville County, running from thence in a northerly direction along the center line of State Highway No. 81 to the junction of the county road which runs approximately east and west by Starr Mills; thence running in an easterly direction along the center line of county road by Starr Mills to the junction with State Highway No. 156; thence in a southeasterly direction along the center line of State Highway No. 156 to the junction with State Highway No. 413; thence in a northeasterly direction along the

center line of State Highway No. 413 to the eastern border of School District No. 3.

Area No. 2: Beginning with the junction of State Highway No. 413 with the eastern boundary of school District No. 3 running in a westerly direction along the center line of State Highway No. 413 to the junction of State Highway No. 156; thence along the center line of State Highway No. 156 to the junction of the county road running in an easterly and westerly direction along by Starr Mills; thence in a westerly direction along the center line of the county road by Starr Mills to the junction of State Highway No. 81; thence along the center line of State Highway No. 81 in a northerly direction to the northern boundary of School District No. 3; thence in an easterly direction along the northern boundary of School District No. 3 to the eastern boundary of School District No. 3.

Area No. 3: Beginning at the junction of State Highway No. 81 and State Highway No. 105 running along the center line of State Highway No. 105 in a westerly direction to the junction of State Highway No. 181; thence in a southwesterly direction along the center line of State Highway No. 181 to the Savannah River; thence north along the eastern bank of the Savannah River to the northern boundary of School District No. 3; thence in an easterly direction along the northern boundary of School District No. 3 to the junction of the northern boundary of School District No. 3 with State Highway No. 81; thence in a southerly direction along the center line of State Highway No. 81 to the junction of State Highway No. 81 with State Highway No. 105.

Area No. 4: Beginning at the junction of State Highway No. 81 with the southern boundary of Anderson County and the northern boundary of Abbeville County and running in a southwesterly direction along the southern border of Anderson County to the Savannah River; thence in a northerly direction along the eastern bank of the Savannah River to the junction with State Highway No. 181; thence along the center line of State Highway No. 181 in a northeasterly direction to the junction with State Highway No. 105; thence along the center

line of State Highway No. 105 to the junction of State Highway No. 105 with State Highway No. 81; thence in a southerly direction along the center line of State Highway No. 81 to the junction of State Highway No. 81 with the southern border of Anderson County.

SECTION 2. Board of trustees.—School District No. 3 shall consist of a board of trustees of five members. Each of the four areas of School District No. 3 shall be represented by one member of the board of trustees and the fifth member shall be from School District No. 3 at large. Each member of the board of trustees representing an area of the district shall be a qualified elector of Anderson County and a resident of the particular area that he represents. The terms of office of the members of the board of trustees representing Areas 2 and 3 on the effective date of this act shall expire in 1962, and the terms of office of the trustees representing Areas 1 and 4 on the effective date of this act shall expire in 1964. The term of office of the trustee representing School District No. 3 at large shall expire in 1966. Members of the board of trustees shall remain in office until their successors are elected and qualify. The length of the terms of office shall remain unchanged.

SECTION 3. Election of trustees.—The members of the board of trustees shall be elected by the qualified electors of School District No. 3 in the general election of the year in which their term of office expires, and shall take office January first following their election.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R805, H2293)

No. 731

An Act To Change The Name Of The Koon Store Precinct In Richland County To Fairlawn Precinct.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County—Koon Store Precinct changed.
—The name of the Koon Store Precinct in Richland County is hereby changed to Fairlawn Precinct.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R806, H1958)

No. 732

An Act To Amend Sections 14-2651 And 14-2652, Code Of Laws Of South Carolina, 1952, And To Add Sections 14-2651.1, 14-2651.2 And 14-2652.1 To The Code, Relating To The Members Of The Board Of Commissioners Of Lee County, So As To Increase Their Number, To Provide For Their Election, To Divide The County Into Commissioner Districts And To Provide For Filling Vacancies Created On The Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. 14-2651, 1952 Code, amended—Lee County Board of Commissioners.—Section 14-2651, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 14-2651. The county government of Lee County shall be in the hands of a county board of commissioners, whose respective duties and powers shall be as defined and enumerated in this chapter.”

SECTION 2. 1952 Code amended—Section 14-2651.1 added—election of commissioners.—The Code of Laws of South Carolina, 1952, is amended by adding the following new section to read as follows:

“Section 14-2651.1. Commencing with the regular elections to be held in 1962 and every four years thereafter, there shall be elected a county board of commissioners composed of seven qualified electors of Lee County.”

SECTION 3. 1952 Code amended—Section 14-2651.2 added—terms of commissioners.—The Code of Laws of South Carolina, 1952, is amended by adding the following new section to read as follows:

“Section 14-2651.2. The terms of office of the commissioners shall be for a period of four years and until their successors are elected and qualify. Their terms of office shall commence the first day of January following their election.”

SECTION 4. Section 14-2652, 1952 Code, amended—district commissioners to be elected from.—Section 14-2652, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 14-2652. One commissioner shall be elected from each of the following commissioner districts:

(1) District No. 1, composed of the voting precincts at Bishopville No. 1, Bishopville No. 2, Bishopville No. 3 and Bishopville No. 4;

(2) District No. 2, composed of the voting precincts at Ashland, Stokes Bridge and Cypress;

(3) District No. 3, composed of the voting precincts at Cedar Creek, St. Matthews, Lucknow, Turkey Creek and Schrock's Mill;

(4) District No. 4, composed of the voting precincts at Ionio, Hickory Hill, Rattlesnakes Spring and Spring Hill;

(5) District No. 5, composed of the voting precincts at Ashwood, Manville and Woodrow;

(6) District No. 6, composed of the voting precincts at Elliott, St. Charles and Mt. Clio; and

(7) District No. 7, composed of the voting precincts at Lynchburg and South Lynchburg.

The commissioner elected from each commissioner district shall reside in the district from which elected and shall be elected by the qualified voters residing within the respective district.”

SECTION 5. 1952 Code amended, Section 14-2652.1 added—vacancies.—The Code of Laws of South Carolina, 1952, is amended by adding the following new section to read as follows:

“Section 14-2652.1. Any vacancy occurring in the office of commissioner caused by death, resignation or otherwise shall be filled by appointment of the Governor upon the recommendation of the Senator to serve for the unexpired term and until the successor of any person so appointed shall have been duly elected and qualified.”

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R807, H2048)

No. 733

An Act To Authorize The South Carolina Wildlife Resources Department To Accomplish Uniformity Of Fishing Regulations By This State And The State Of Georgia In Boundary Streams Between The Two States Above The Hartwell Reservoir.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Reciprocal agreements with Georgia concerning fishing above Hartwell Reservoir.—Notwithstanding any provision of law to the contrary, the Director of the Department of Game of the South Carolina Wildlife Resources Department is hereby authorized to establish and enforce such regulation of fishing in the boundary streams between this State and the State of Georgia above the Hartwell Reservoir as may be necessary to make the regulation by the two states uniform. The Director is further authorized to enter into or modify such reciprocal agreements with the State of Georgia as may be necessary to accomplish the purpose of the act.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R808, H2112)

No. 734

An Act To Amend Section 43-802, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Jurisdiction Of Magistrates In Greenville County, So As To Establish The Jurisdiction For The Magistrate In Gantt Township.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 43-802, 1952 Code, amended—jurisdiction of Greenville County Magistrates.—Section 43-802, Code of Laws of South Carolina, 1952, as last amended by Act 629 of 1960, is further amended by striking on line 7 of the amending act the word “and” and inserting in lieu thereof a comma and by adding on line 7 after the word “Springs” the words “and Gantt”, so that when amended the section shall read as follows :

“Section 43-802. The two Magistrates located in the City of Greenville, the Magistrate for Greenville Township, the Magistrates

in the Towns of Fountain Inn, Greer and Piedmont, and the Magistrates in Austin, Bates, Oaklawn, Chick Springs and Gantt Townships, shall have criminal and civil jurisdiction through the whole of Greenville County. The Special Magistrate for the City of Greenville shall have criminal jurisdiction only which shall extend throughout the whole of Greenville County. The magistrates other than those above enumerated shall have jurisdiction only in such civil and criminal cases as arise or occur in their respective townships. The jurisdiction of these magistrates shall be concurrent with that of the magistrates whose territorial jurisdiction is countywide. Other than the Special Magistrate for the City of Greenville, when a magistrate has once acquired jurisdiction, his jurisdiction shall be exclusive, except that he may be disqualified for cause, in which event the matter may be removed to the next nearest magistrate as permitted by law."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R809, H1244)

No. 735

An Act To Create The Darlington Court Library Commission For The Purpose Of Establishing And Operating A Law Library In Darlington County; To Provide For Its Powers And Duties; To Increase The Amount Of Court Costs Assessed In Darlington County Attendant To Criminal Bond Forfeitures And Fines For The Support Of The Library And To Provide For The Deposit And Disbursement Of Funds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Darlington Court Library Commission created.

—There is hereby created the "Darlington Court Library Commission", consisting of three members who shall be appointed by the Darlington County Bar Association from its practicing members in good standing. The first commissioners shall be appointed for terms of one, two and three years, respectively, and their successors for terms of three years each. Each shall hold office until his successor has been appointed. Vacancy in an unexpired term shall be

filled in the same manner for the unexpired portion of the term only. All commissioners shall serve without pay, and shall not serve consecutively more than two terms.

SECTION 2. Officers and meetings.—The commission shall organize by the election of a chairman, secretary and such other officers as may be deemed expedient. Its meetings shall be held at the call of the chairman or a majority of its members.

SECTION 3. Powers and duties.—The commission shall establish and exercise exclusive control over a Law Library in Darlington County to be known as the "Darlington Court Library". It shall maintain the library for the use and benefit of the courts of Darlington County and the judges thereof, visiting judges, judges of other courts resident in Darlington County, the officials of Darlington County, and the members of the Darlington County Bar Association as hereinafter provided. The commission shall make and promulgate such rules, regulations and orders providing for the use, management, control and operation of the library as it may deem proper and advisable. It may accept donations of books, funds and other property for the use and benefit of the library, dispose of books and other equipment deemed unnecessary or obsolete, purchase books and other necessary material and make any expenditure which it may deem reasonable and necessary for the proper upkeep and orderly management of the library, including a reasonable salary for a librarian. Funds received shall be deposited in and disbursed from the Darlington Court Library Fund as provided in Section 6 of this act.

SECTION 4. Location of Library.—The County Commission of Darlington County shall provide suitable housing for the library.

SECTION 5. Powers and duties further.—The commission shall frame rules and regulations permitting the use of the library by the members of the Darlington County Bar Association who are in good standing. One of such regulations shall require the payment of an annual charge to be determined by the commission; no member of the Bar shall be permitted to use the library until this has been paid. The commission may fix and assess fines for violation of the rules and regulations promulgated for the operation of the library and may deny the use thereof to any member of the Bar failing to comply therewith. All funds derived under this section shall be deposited to and disbursed from the Darlington Court Library Fund as provided in Section 6 of this act. These particular funds shall be used by the commis-

sion for the purchase of books, legal periodicals and other necessary library supplies and equipment; any balance remaining after such expenditures may be used for operating expenses of the library.

SECTION 6. Funds.—There shall be added as costs the sum of one dollar to the amount collected upon the forfeiture of any appearance bond in a criminal proceeding in any of the magistrate's courts in Darlington County. There shall be added as costs the sum of one dollar to any fine imposed and collected in any such proceeding. There shall be added five per cent as costs to the amount of any criminal fine imposed and collected in the Circuit Court for Darlington County. The foregoing costs, which shall be in addition to any other costs imposed by law, shall be set aside and held by the Treasurer of Darlington County in a special account to be designated as the "Darlington Court Library Fund". The treasurer, in setting aside these funds, shall assume that such costs have been collected as a part of each fine or forfeiture remitted. This fund shall be used solely for the maintenance, support and operation of the Darlington Court Library, and shall be paid out by the Treasurer of Darlington County only upon vouchers drawn in the name of the Darlington Court Library Commission and signed by its secretary and chairman.

SECTION 7. Reports.—The commission shall make annual reports to the Darlington County Bar Association on the conduct of the library, including a detailed statement as to the receipt and disbursement of funds, such statement to show each voucher issued against the Darlington Court Library Fund, the amount thereof, to whom issued, and any balance remaining at the end of the year.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

An Act To Amend Act 779 Of 1960, As Amended, Relating To The Assessment And Equalization System For Taxation Of Property In Charleston County, So As To Provide That If Any Provision Of The Act Is Declared Unconstitutional Or Invalid Such Declaration Shall Not Affect The Remaining Provisions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 779 of 1960 amended—Section 11B added—saving clause.—Act 779 of 1960, as amended, is further amended by adding after Section 11 A new Section 11 B which shall read as follows :

“Section 11. B. If any provision of this act shall be declared to be invalid or unconstitutional such declaration shall not invalidate the remaining provisions of this act.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R811, H2301)

No. 737

An Act To Amend Act 766 Of 1958 Relating To Fees And Commissions Charged By The Clerk Of The Circuit Court Of Charleston County So As To Provide That No Charge Shall Be Made For Recording And Furnishing Certificates Of Military Discharge.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (c), Section 1 of Act 766 of 1958 amended—clerk of court fees for Charleston County.—Item (c) of Section 1 of Act 766 of 1958 is amended by striking on line 2 of the item “military discharge,” so that when amended the item shall read as follows :

“(c) Miscellaneous Items: Recording any certificate, such as birth, notary commission etc., fifty cents; furnishing certified copy of any certificate, one dollar; recording transcript of judgment, one dollar and fifty cents; recording lis pendens, single, one dollar, plus fifty cents for each additional defendant and fifty cents for each additional parcel; guardian ad litem, filing petition and order, two dollars and fifty cents.”

SECTION 2. Item (d), Section 1 of Act 766 of 1958 amended—exemptions.—Item (d) of Section 1 of Act 766 of 1958 is amended by adding after the comma on line 2 of the item “for recording and furnishing certificates of military discharge” so that when amended the item shall read as follows :

“(d) No charge shall be made for the swearing of magistrates, constables or other officials, for recording and furnishing certificates of military discharge nor for entering the satisfaction of a judgment.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R812, H2314)

No. 738

An Act To Change The Polling Place For Brandon Voting Precinct In Greenville County From The Boy Scout Hall To The Community House On Calendar Street.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenville County — Brandon Voting Precinct changed.—Notwithstanding the provisions of Section 23-176, Code of Laws of South Carolina, 1952, as amended, the polling place for Brandon Voting Precinct in Greenville County shall be at the Community House on Calendar Street.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R814, S367)

No. 739

An Act To Provide That County Attorneys Shall Receive Copies Of The Acts And Joint Resolutions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. County attorneys to receive Acts and Joint Resolutions.—Notwithstanding any other provision of law, one paperback copy of the Acts and Joint Resolutions shall be distributed to each county attorney.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1962.

(R819, H1683)

No. 740

An Act To Require The Presence At Jails And Similar Places Of Incarceration Of A Person Charged With The Custody Thereof, And To Provide A Penalty For Violation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to leave jails unattended.—It shall be unlawful for any person charged with the custody of any jail or other place of criminal incarceration to allow such premises at any time when occupied to be unattended by a duly authorized person who shall have access to and be in reasonable communication with the persons therein.

SECTION 2. Penalties.—Any person convicted of violating the provisions of this act shall be fined not less than one hundred dollars nor more than five hundred dollars or imprisoned for not less than thirty days nor more than six months, or both, in the discretion of the court.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1962.

(R820, H2049)

No. 741

An Act To Prohibit Bribes Or Acceptance Of Bribes Concerning Athletic Contests And To Provide Penalties For Violations Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to bribe athletes or athletic officials.—It shall be unlawful to bribe or offer to bribe any player, manager,

coach, referee, umpire or any other participant or official of any athletic contest with intent to influence the play, action, conduct, or decision of any such person or for any such person to accept or agree to accept such bribe or offer for the purpose of losing, trying to lose or trying to limit the margin of victory or defeat in any athletic contest or to aid or abet or assist in any manner whatsoever in any such bribe.

SECTION 2. Act to be cumulative to other laws.—This act shall not be construed as repealing or modifying any other provisions of law but shall be cumulative to such other provisions of law.

SECTION 3. Penalties.—Any person violating the provisions of this act shall be guilty of a felony and upon conviction shall be fined not more than ten thousand dollars or be imprisoned for not more than ten years or both in the discretion of the court.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1962.

(R822, H2269)

No. 742

An Act To Provide For The Optional Formation Of An Advisory Board Of Trustees For Each Public School In Lee County And To Provide For The Membership And Powers Of Such Boards.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lee County schools to have advisory trustees.—The principal of each public school in Lee County shall, during the first week in October of each year, call a meeting of the patrons of the school for the purpose of electing, at the option of a majority of those present at the meeting, three patrons to serve for a period of one year as an advisory board of trustees. Vacancies on the board shall be filled, for the unexpired portion of the term only, by appointment by the remaining members of the board from among the patrons of the school.

SECTION 2. Powers and duties.—The advisory board of trustees shall consult with and advise the principal on the annual budgetary request, election of teachers and other employees, studies and textbooks to be used in the schools, rules and regulations for the government of the school, administration of the lunchroom program, and upon the principal's request on any other administrative problems of the school.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1962.

(R825, H2339)

No. 743

An Act To Create The Greenville County Commission For Technical Education And To Define Its Functions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Section 23 of Act 323 of the Acts of 1961, a program looking to the establishment of adequate vocational and technical educational facilities in the State, intended to coordinate with the industrial expansion of South Carolina, was instituted on a basis requiring cooperation between the State agency therein created and counties or areas within the State. It is specifically required therein that in order for any county or area to comply with the program and thus to receive the benefits of the program, it must make available, and operate adequate facilities, and at the same time provide for adequate local supervision. The General Assembly further finds that there is an immediate need for the institution of the program in Greenville County wherein the continued expansion of industrial activity has created an unusual need for persons with technical training, and that the furtherance of vocational and technical education in Greenville County should be promptly advanced. It has, therefore, determined to establish for Greenville County a commission to be known as the "Greenville County Commission for Technical Education" as an administrative agency of Greenville County, and to prescribe for the Commission its functions.

SECTION 2. Greenville County Commission for Technical Education created — appointments — terms — vacancies.—There

is hereby created, as an administrative agency of Greenville County a commission, to be known as the "Greenville County Commission for Technical Education" (hereinafter referred to as the "Commission"), which shall consist of nine qualified registered electors of Greenville County. All appointments to office of the Commission shall be made by the Governor, upon the recommendation of a majority of the legislative delegation, including the Senator, from Greenville County. Of those first appointed, three shall have a term of one year, three shall have a term of two years, and three shall have a term of three years. Upon the expiration of the terms of office of those first appointed, successors shall be appointed for terms of three years in the same manner as those originally appointed. If any vacancy shall arise, a successor shall be appointed by the Governor for the balance of the unexpired term in the same manner as the original appointments were made. The members of the Commission shall hold office until their successors shall have been appointed and shall qualify. All terms of office shall terminate on the appropriate anniversary of the effective date of this act, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon as the initial appointments have been made, the Commission shall organize by electing one of its members as Chairman, another as Vice Chairman, and a third as Secretary. A transcript of the record of the initial organization shall be filed with the Clerk of Court of Greenville County in order to reflect the initial membership of the Commission and those who shall become its officers.

SECTION 3. Powers and duties.—The Commission is hereby authorized and empowered to do all things necessary or convenient to promote the objects of the program instituted by Section 23 of Act 323 of 1961, and without in any way limiting the generality of the foregoing, shall be empowered as follows:

- (1) To adopt and use a corporate seal.
- (2) To adopt such bylaws, rules and regulations for the conduct of business and the expenditure of its funds as it may deem advisable.
- (3) To acquire a site within Greenville County and to construct and equip thereon appropriate facilities in accordance with the standards and specifications promulgated by the State Advisory Committee established by Section 23 of Act 323 of 1961.

(4) To acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property.

(5) To accept gifts, grants, donations, devises and bequests.

(6) To provide appropriate supervision of the maintenance of any facility established to promote vocational or technical education.

(7) To provide the necessary administrative services required by the State program.

(8) To employ such personnel as may be necessary to enable the Commission to fulfill its functions.

(9) To establish, promulgate and enforce reasonable rules and regulations, in conjunction with those promulgated by the State agency, for the operation of its facilities.

(10) To operate its affairs on a fiscal year coinciding with that of Greenville County.

(11) To expend any funds received in any manner, including the proceeds derived from any bonds issued by Greenville County to defray any costs incident to the establishment of adequate facilities for the program, and thereafter to expend such funds for the operation, maintenance and improvement of the facilities.

(12) To apply for, receive, and expend moneys from all governmental agencies, both State and Federal.

(13) To exercise all powers contemplated for local agencies by Section 23 of Act 323 of 1961, and all other laws modifying, amending or implementing it.

SECTION 4. Records and audit.—The Commission shall at all times keep full and accurate account of its acts and of its receipts and expenditures, and at least once within four months, following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the audit shall be filed with the Clerk of Court for Greenville County and with the Secretary of the Greenville County Legislative Delegation.

SECTION 5. Reports.—Not less frequently than annually the Commission shall make a written report of the activities of the Commission and file a copy with the Secretary of the Greenville County Legislative Delegation.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1962.

(R735, S488)

No. 744**An Act To Provide For The Appointment Of A Union County Committee For Technical Training, And To Set Forth Its Powers And Duties.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Union County Committee for Technical Training created—members—terms—officers—reports.—There is hereby created the Union County Committee for Technical Training which shall be a body politic and corporate and which shall consist of five members. The members shall be appointed for terms of two years each by the Governor upon the recommendation of a majority of the Union County Legislative Delegation. The committee shall meet as soon after appointment as practicable and shall organize by electing a chairman and such other officers as it deems necessary. Thereafter, the committee shall meet upon the call of the chairman or a majority of its members. It shall make periodic reports of its activities and progress to the legislative delegation.

SECTION 2. Powers and duties.—The committee shall be responsible for the development and implementation of an adequate vocational and technical training program, which shall include, but not be limited to, the following: (1) a program coordinated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries; (2) increased emphasis on industrial arts programs and basic industrial vocational programs within existing high school curriculums; (3) technical training programs primarily designed to train high school graduates as technicians for initial employment in industry; and (4) provide trade extension courses to persons who desire employment in industries and also to those presently employed who wish to improve their skills. The committee, in carrying out these programs, shall cooperate with all State and Federal agencies designed to further technical education. The committee may purchase or lease such equipment, hire such personnel, including a superintendent and instructors, enter into such contracts, make such rules and regulations and may do such other things as may be necessary in order to carry out the provisions of this act, or to qualify to receive State or Federal aid under any present or future statute, policy or regulation. The committee shall be considered an operating unit under the general laws governing the lending of funds

for capital improvements by the State Educational Finance Commission.

SECTION 3. Funds—gifts and grants.—The committee shall receive and administer the funds received by it from all sources and make its accounting annually to the Union County Legislative Delegation. The committee may receive gifts or grants of funds or property of any nature.

SECTION 4. Budget.—The committee shall submit a budget for the ensuing fiscal year on or before March fifteenth of each year to the Union County Legislative Delegation.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R826, S270)

No. 745

An Act To Amend Section 46-35, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Registration And Licensing Of Certain Motor Vehicles, So As To Provide That No Registration Or Licensing Shall Be Required For Certain Motor Vehicles Which Are Being Towed.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46-35, 1952 Code, amended—certain racing cars not to be registered or licensed.—Section 46-35, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof a new subsection to be appropriately numbered, which shall read as follows:

“() Professional racing cars not operated under their own power but towed by another vehicle going to or from a race track need not be registered or licensed.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R827, S483)

No. 746**An Act To Prohibit Hunting From Public Roads Under Certain Conditions In Game Zone 8, And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to hunt from public roads in Game Zone 8.—The hunting of all game from public roads in Game Zone No. 8 is prohibited whenever such public roads are adjacent to lands that are posted against trespassing or hunting. The term “hunting” as used herein includes the hunting of deer by occupying stands therefor. *Provided*, however, the provisions of this act shall not apply to hunting by owners of the adjacent lands or by persons who have permission of the owners to hunt such adjacent lands.

SECTION 2. Penalties.—Anyone violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or be imprisoned for a period not to exceed thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R828, S519)

No. 747**An Act Prohibiting Certain Agreements Between Carriers Or Shippers And Labor Organizations, Certain Payments By Carriers Or Shippers, And The Receipt Of Such Payments For The Benefit Of Labor Organizations; And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Labor organization defined.—The term “labor organization” means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

SECTION 2. Unlawful for carriers or shippers to make certain payments.—It shall be unlawful for any carrier or shipper of property, or any association of such carriers or shippers, to agree to pay, or to pay, to or for the benefit of a labor organization, directly or indirectly, any charge by reason of the placing upon, delivery to, or movement by rail, or by a railroad car, of a motor vehicle, trailer, or container which is also capable of being moved or propelled upon the highways.

SECTION 3. Unlawful for labor organizations to accept certain monies.—It shall be unlawful for any labor organization to accept or receive from any carrier or shipper of property, or any association of such carriers or shippers, any payment described in Section 2 hereof.

SECTION 4. Penalties.—Any person who agrees to pay, or who does pay, or who agrees to receive, or who does receive, any payment described in Section 2 hereof shall be guilty of a misdemeanor and on conviction shall be fined not less than one hundred dollars nor more than one thousand dollars, or imprisoned for a period of not less than thirty days, nor more than one year, in the discretion of the court. Each act of violation, and each day during which such an agreement remains in effect, shall constitute a separate and distinct offense.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R830, H1394)

No. 748

An Act To Provide For A Tax On Domestic Wines.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Domestic wine defined.—Domestic wine is wine manufactured wholly within the State of South Carolina from fruits and berries grown wholly within this State and produced from natural fermentation.

SECTION 2. Tax on domestic wine.—Notwithstanding any other provision of law the tax on domestic wines shall be forty-five cents per gallon if the alcoholic strength of the wine is not more than twen-

ty-one per cent. On domestic wine offered for sale in quantities of less than one gallon there shall be levied and collected a tax of three and six-tenth cents for each eight ounces or fractional quantity thereof. The tax provided for in this act shall be paid in the same manner as tax on beer and wine as provided in Article 4, Chapter 10, Title 65, Code of Laws of South Carolina, 1952.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect on February 1, 1963 and upon approval by the Governor.

Approved the 16th day of March, 1962.

(R831, H2010)

No. 749

An Act To Make Appropriations To Meet The Ordinary Expenses Of The State Government For The Fiscal Year Beginning July 1, 1962; To Regulate The Expenditure Of Funds Therefor; For Borrowing Money; Further Relating To The Operation Of The State Government During The Fiscal Year 1962-1963; And To Enact As Permanent Laws Of The State Of South Carolina Measures To Provide A New Schedule Of State-Aid For Teachers' Salaries; To Amend Section 3 Of Act No. 818 Of The Acts Of 1960 Relating To Purchases By State Agencies Of Articles Or Products From The State Board Of Corrections; To Amend Section 9 Of Act No. 802 Of The Acts Of 1960 Relating To Textbooks And Curricula In Educational Television; To Fix The Salaries Of Constitutional Officers Of The State Beginning With Their Next Term Of Office; To Provide For Admission Of Certain Members And Employees Of The General Assembly And Certain Constitutional Officers To Membership In The State's Retirement Fund Or To Withdraw From Same Under Certain Conditions; And To Fix The General Fund Reserve Provided In Act No. 644 Of The Acts Of 1954 At \$3,000,000.00; And Providing A Method Of Establishing An Official Population Census In Certain Incorporated Municipalities By The Secretary Of State.

Be it enacted by the General Assembly of the State of South Carolina :

PART I**Maintenance and Operation of State Government****SECTION 1**

For the fiscal year 1962-63, except as hereinafter specifically provided, all general state revenues derived from taxation, licenses, fees, or from any other source whatsoever, and all institutional and departmental revenues or collections, including income from taxes, licenses, fees, the sale of commodities and services, and income derived from any other departmental or institutional source or activity, shall be remitted to the State Treasurer as collected, when practicable, but at least on or before the last day of each month, for credit to the General Fund of the State. Each institution, department, or agency, in remitting such income to the State Treasurer, shall attach with each such remittance a report or statement, showing in detail the sources from which such income was derived, and shall, at the same time, forward a copy of such report or statement to the Comptroller General and the State Budget and Control Board. *Provided, however,* That refunds of such collections by state institutions, when properly approved by the authorities of same, may be made before remittance to the State Treasurer, so that, to such extent, the remittances, and the accompanying report or statement, shall be on the basis of net income. *Provided, further,* That revenues derived from the General Retail Sales Tax, and the State's portion of revenue derived from the Alcoholic Liquors Tax, shall be credited to a Special School Fund, and no payments shall be made from this fund except to cover appropriations herein made for the support of the public school system of the State, but any amount of such appropriations in excess of revenues credited to the Special School Fund shall be paid from the General Fund of the State.

SECTION 2

Subject to the terms and conditions of this Act, the sums of money set forth herein, if so much be necessary, be, and the same are, hereby appropriated out of the State Treasury, to meet the ordinary operating expenses of the State Government applicable to the fiscal year 1962-63, and for such other purposes as may be hereinafter specifically designated.

SECTION 3

Legislative Department

Item 1. The Senate:

A. Personal Service:

A-1. *Salaries:*

President	\$ 1,500.00
President Pro Tempore	400.00
Senators	82,800.00
Mileage	12,600.00
Postage	690.00
Subsistence	28,200.00
Official Expense Allowance—	
President	800.00
Clerk (In full for year)	11,400.00
Assistant Clerk	950.00
General Desk Clerks	1,600.00
Bill Clerks	1,200.00
Journal Clerk	725.00
Journal Clerk	650.00
Sergeant-at-Arms	750.00
Committee Sergeant	650.00
Reading Clerk	900.00
Stenographers, Finance Com- mittee (2 @ \$725.00 each)	1,450.00
Keeper, Finance Committee Room	320.00
Steno-Clerk, Judiciary Com- mittee	725.00
Keeper, Judiciary Committee Room	320.00
Steno-Clerk, Social Security and Education Committees	725.00
Secretary to President	750.00
Keeper, President's Office	320.00
General Committee Clerks (3 @ \$425.00 each)	1,275.00
General Committee Stenog- rapher	725.00
General Committee Stenog- rapher	725.00

General Committee Stenographer	725.00
Doorkeepers (3 @ \$400.00 each)	1,200.00
Pages (3 @ \$350.00 each)	1,050.00
Chaplain	350.00
Laborers (3 @ \$6.00 per day)	1,260.00
Amendment Clerks	1,000.00
Assistant Amendment Clerks (4 @ \$200.00 each)	800.00
Attendants (12 @ \$200.00 each)	2,400.00
Elevator Operators (4)	1,000.00
Approved Accounts	95,000.00

Total (Item 1) The Senate	\$ 257,935.00
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Item 2. House of Representatives:

A. Personal Service:

A-1. *Salaries:*

The Speaker	\$ 1,500.00
Official Expense Allowance—	
Speaker	800.00
Speaker Pro Tempore	400.00
Representatives	223,200.00
Mileage	35,000.00
Postage	1,860.00
Subsistence	74,400.00
Clerk (In full for year)	11,400.00
Assistant Clerk	950.00
Journal Clerk	725.00
Bill Clerk	725.00
Reading Clerk	900.00
Bill Clerk and General Committee Clerk	600.00
Steno-Clerk, Ways and Means Committee	725.00
Steno-Clerk, Judiciary Committee	725.00
General Committee Clerks (2)	1,450.00
General Desk Clerks (2)	1,525.00
General Clerk and/ or Stenographer	725.00

General Committee Stenog-	
raphers (2)	1,450.00
Sergeant-at-Arms	750.00
Asst. Sergeant-at-Arms	750.00
Secretary to Speaker	750.00
Amendment Clerks (2)	1,450.00
Stenographer	725.00
Chaplain	350.00
Chief Page	450.00
Assistant Chief Page	400.00
Pages (12)	4,200.00
Doorkeepers (3)	1,200.00
Laborers (4 @ \$6.00 per day) .	1,200.00
Committee Sergeant	650.00
Elevator Operators (4)	1,000.00
Approved Accounts	95,000.00

Total (Item 2) House of Represen-
tatives \$ 467,935.00

**Item 3. Special Services for Both
Houses:**

A. Personal Service:

A-1. Salaries:

Clerk on Enrollment of Acts ..\$	700.00
Assistant Clerk on Enrollment of Acts	700.00
Postmaster	600.00
Assistant Postmaster	600.00
Telephone Pages (2)	700.00
Telephone Operators (2) (In full for Session)	700.00
Laborers (3 @ \$6.00 per day)	1,080.00
Maid	300.00
Approved Accounts	15,000.00

Total (Item 3) Special Services for
Both Houses \$ 20,380.00

Item 4. Codification of Laws and
Legislative Council:

A. Personal Service:

A-1. *Salaries:*

Code Commissioner and Director of Legislative Council (In full for year)	\$ 12,325.00
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Asst. Code Commissioner and Asst. Director of Legislative Council	9,500.00
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Attorney	8,500.00
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Attorney	8,500.00
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A-2. *Wages:*

Porter	650.00
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A-3. *Special Payments:*

Per Diem and Travel of Committee on Statutory Laws ..	1,200.00
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Lawyers	4,600.00
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Stenographers	7,975.00
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Clerk	725.00
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Clerical Help	2,000.00
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Pages	450.00
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Approved Accounts	48,500.00
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B. Contractual Services:

B-7. Other Contractual Services:

For Printing Code Supplement	21,000.00
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Total (Item 4) Codification of Laws and Legislative Council ..	\$ 125,925.00
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Item 5. Clerk's Office (The Senate):

A. Personal Service:

A-1. *Salaries:*

Secretary	2,646.00
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Bookkeeper	2,095.00
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A-2. *Wages:*

Porter	509.00
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For Salary and Wage Adjust- ments	500.00
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B. Contractual Services:

B-3. Telegraph and Telephone ..	100.00
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C. Supplies:	
C-4. Office Supplies	150.00
D. Fixed Charges and Contributions:	
D-1. Post Office Box Rent	12.00
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Total (Item 5) Clerk's Office (The Senate)	\$ 6,012.00
Item 6. Clerk's Office (House of Representatives):	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Clerical Help	3,996.00
Secretary	2,646.00
A-2. Wages:	
Messenger-Porter	781.00
For Salary and Wage Adjustments	704.00
B. Contractual Services:	
B-3. Telegraph and Telephone ..	100.00
C. Supplies:	
C-4. Office Supplies	125.00
D. Fixed Charges and Contributions:	
D-1. Post Office Box Rent	18.00
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Total (Item 6) Clerk's Office (House of Representatives)	\$ 8,370.00
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TOTAL (Legislative Department) ..	\$ 886,557.00

Provided, that the Clerk of the House is authorized to have prepared a House Journal Index at a cost not to exceed Three Hundred (\$300.00) Dollars, and the Clerk of the Senate is authorized to have prepared a Senate Journal Index at a cost not to exceed Three Hundred (\$300.00) Dollars, same to be paid from approved accounts; *Provided, Further*, That the Comptroller General is authorized to honor warrants for operation of the offices of the Clerks of the House and Senate between sessions of the General Assembly on the approval of the clerk of each House. *Provided, Further*, That appropriations for salaries under this section shall be paid at such intervals and in such amounts as may be determined by the presiding officer and/or Clerk of the respective branches of the General Assembly. *Pro-*

vided, Further, That the clerks of the respective legislative departments may pay laborers and porters for necessary work before the convening and after the adjournment of the General Assembly. *Provided, Further,* That all supplies and equipment for use of the General Assembly shall be purchased only upon written authority of either the Clerk of the Senate, Clerk of the House or the Legislative Council for the respective branches of the General Assembly, and that a copy of such written authority shall be attached to all warrants in payment thereof before such warrants are honored by the Comptroller General. *Provided, Further,* That the Clerk of the Senate may employ two additional clerks for his office between sessions at a salary of \$178.00 bi-weekly, the same to be paid from approved accounts of the Senate. *Provided, Further,* That all employees of the General Assembly, with the exceptions of the Assistant Amendment Clerks and Attendants of the Senate, shall be paid for six (6) days of each week of the entire session, except that the Clerk of the House, the Clerk of the Senate, and the Director of the Legislative Council shall be paid no other compensation than that appropriated for those positions.

Provided, Further, That the Lieutenant Governor shall receive mileage as paid to members of the General Assembly during the sessions of the General Assembly.

Provided, Further, That the Clerks of the two (2) Houses are authorized to issue their warrants on Approved Accounts for necessary extra clerical or other services. *Provided, Further,* That necessary temporary clerical help for the Chairman of the Senate Finance and House Ways and Means Committees and the Speaker of the House may be paid from Approved Accounts of the respective Houses upon recommendation of the Chairmen or the Speaker, respectively. *Provided, Further,* That either the Sergeant-at-Arms or the Assistant Sergeant-at-Arms of the Senate and the House shall remain on duty from 9:00 A. M. to 5:00 P. M. during each day of the week between sessions, except that on Saturdays the hours of duty shall be from 9:00 A. M. to 1:00 P. M., for which the person performing these duties shall receive his regular per diem compensation for each day of actual duty. The duties of the Sergeant-at-Arms and/or Assistant Sergeant-at-Arms shall be those provided by the Code, the Rules of the respective Houses, those designated by the presiding officers of the various Houses, and in addition the Sergeant-at-Arms and/or Assistant Sergeant-at-Arms of the respective Houses shall meet and escort visitors in and about their respective bodies and shall, during the hours of duty, be dressed in a distinctive man-

ner so as to be easily identified as Sergeants-at-Arms. *Provided, Further,* That members of Legislative Committees shall be paid the regular per diem and expenses from Approved Accounts of the House which the respective committee members represent. *Provided, Further,* That the Sergeants-at-Arms are authorized to make necessary repairs to the Senate Chamber and the Hall of the House of Representatives between the 1962 and 1963 sessions of the General Assembly, and shall be paid therefor their regular per diem allowance for necessary time, but not to exceed sixty (60) days each for the Assistant Sergeants-at-Arms, and no such repairs shall be made except with the approval of the presiding officer. *Provided, Further,* That the joint committee consisting of six members, three from the Senate and three from the House, created in the 1945 Deficiency Bill to investigate the feasibility of completing the State House according to the plans of the original architect, or according to plans which might be considered more suitable, is hereby increased to include the presiding officers of the two Houses, and the Committee is authorized to continue such work.

Provided, That the Legislative Council is authorized to employ additional stenographic or other help between sessions as the Council may deem necessary at such salary or salaries as the Council may set, to be paid from approved accounts.

Provided, Further, That the Clerks of the two Houses of the General Assembly are hereby authorized and directed to have printed all State-wide Acts immediately after their approval by the Governor, and to place upon the desk of each member of the General Assembly, within one week after the approval date, a copy of said Acts, and to mail another copy to the home address of each member of the General Assembly, and three copies to each Clerk of Court in the State, and to the head of each State department and Institution, and to the Chief Justice and Associate Justices of the Supreme Court and each Judge of the Judicial Circuits. Likewise, printed copies of local Acts approved by the Governor shall be furnished to the members of the Legislative Delegation from the County involved. The Secretary of State shall notify the respective Clerks immediately upon receipt of all Acts approved by the Governor and make such Acts available to them for proof reading. All expenses in connection with the distribution of said approved Acts shall be paid from Approved Accounts for special services for both Houses.

Provided, Further, That copies of printed advance sheets of the Acts of the General Assembly shall be supplied to the County Clerks of Court and County Boards of Commissioners.

Provided, Further, That for each session of the General Assembly all attaches and/or employees of the General Assembly shall receive as additional compensation an increase of ten per cent over the rate paid for the 1956 session. Such sums shall be paid from the Approved Accounts of the respective Houses, services to both Houses, and the Legislative Council

SECTION 4

Judicial Department

Item 1. Supreme Court:

A. Personal Service:

A-1. Salaries:

Chief and Associate Justices .. \$	91,000.00
Clerk	5,500.00
Reporter	3,031.00
Librarian	3,850.00
Secretary	4,240.00
Stenographers (2)	6,646.00
Stenographers—Chief and Associate Justices	19,080.00
Legal Assistant to Chief Justice	6,500.00
Attendant	1,863.00
Retired Justices	18,000.00
Widows of Justices	6,000.00

A-2. Wages:

Messenger	220.00
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A-3. Special Payments:

Extra Steno Services	200.00
For salary and Wage Adjustments	4,432.00

B. Contractual Services:

B-2. Travel	6,000.00
B-3. Telegraph and Telephone ..	2,000.00
B-4. Repairs	500.00

C. Supplies:

C-4. Office Supplies	4,000.00
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D. Fixed Charges and Contributions:

D-1. Rents—Clock and Post Office Box	39.00
Offices Chief and Associate Justices	3,000.00

G. Equipment:	
G-1. Office Equipment	2,000.00
G-7. Educational Equipment:	
Library:	
Books	6,000.00
South Carolina Reports	3,862.00
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Total (Item 1) Supreme Court	\$ 197,963.00
Item 2. Circuit Courts:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Circuit Judges (14)	\$ 217,000.00
Retired Judges	36,000.00
Widows of Judges	12,000.00
Circuit Stenographers (14) ...	97,944.00
Circuit Judges—For secretarial help, library, automobile depreciation, and official office expenses; to be paid in equal monthly install- ments to each circuit judge.	42,000.00
A-3. Special Payments:	
Special Circuit Judges	1,000.00
For Salary and Wage Adjust- ments	9,794.00
B. Contractual Services:	
B-2. Travel	30,000.00
Official Expense (Circuit Stenographers 14)	4,200.00
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Total (Item 2) Circuit Courts	\$ 449,938.00
Item 3. Board of Law Examiners:	
A. Personal Service:	
A-3. Special Payments (3 Members)	\$ 2,400.00
Item 4. Board of Commissioners on Grievances and Discipline.	
	\$ 10,000.00
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TOTAL (Judicial Department)	\$ 660,301.00

Provided, That the salaries provided herein for Circuit Stenographers shall be in full for all services to the Circuit Courts, except where specific appropriations are made by any of the counties in the respective circuits to supplement these salaries, and except for income derived by the said Circuit Stenographers from transcripts.

SECTION 5

Governor's Office

Item 1. Executive Control of State:

A. Personal Service:

A-1. Salaries:

Governor	\$ 17,500.00
Executive Secretary	9,550.00
Press Secretary	9,550.00
Industrial Secretary	13,250.00
Legal Assistant	9,550.00
Stenographers	23,274.00

A-2. Wages — Messenger-Porter 2,682.50

A-3. Special Payments — Extra

Clerical 4,705.00

For Salary and Wage Adjust-

ments 5,326.00

B. Contractual Services:

B-2. Travel and Promotional Ex-
pense 16,000.00

B-3. Telegraph and Telephone .. 10,000.00

B-4. Repairs 350.00

C. Supplies:

C-4. Office Supplies 8,000.00

D. Fixed Charges and Contributions:

D-1. Rents 30.00

D-3. Association Dues 100.00

G. Equipment:

G-1. Office Equipment 1,000.00

Total (Item 1) Executive Control
of State

\$ 130,867.50

Item 2. Mansion and Grounds:

A. Personal Service:

A-2. Wages	\$ 17,000.00
For Salary and Wage Adjust- ments	850.00

B. Contractual Services:

B-3. Telegraph and Telephone ..	3,000.00
B-4. Repairs	2,000.00
B-6. Water, Heat, Light and Power	3,000.00

C. Supplies

C-9. Agricultural Supplies	400.00
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D. Fixed Charges and Contributions:

D-2. Insurance	250.00
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G. Equipment:

G-3. Household Equipment	5,000.00
G-5. Agricultural Equipment ..	100.00

Total (Item 2) Mansion and

Grounds	\$ 46,600.00
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Item 3. Law Enforcement:

A. Personal Service:

A-1. *Salaries:*

Chief	\$ 8,980.00
Governor's Officers	266,146.00
Operating Expense	204,528.00
For Salary and Wage Adjust- ments	24,161.00

Total (Item 3) Law Enforcement .

\$ 503,815.00

Intra-State Teletype Network .

\$ 41,000.00

Item 4. Identification Bureau:

Maintenance of Bureau	\$ 10,000.00
Purchase of Gas Chromatograph	3,600.00

Total (Item 4) Identification Bureau

\$ 13,600.00

TOTAL (Governor's Office)

\$ 735,882.50

Provided, That one of the Governor's Officers shall be assigned exclusively to the duty of investigating and determining the origin of forest fires.

SECTION 6

Lieutenant Governor's Office

For Administration:

A. Personal Service:

A-1. *Salaries:*

Lieutenant Governor	\$ 1,000.00
Secretary	2,340.00

B. Contractual Services:

B-2. Travel	\$ 1,860.00
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TOTAL (Lieutenant Governor's Office)	\$	5,200.00
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SECTION 7

Secretary of State

Item 1. Keeping State Records:

A. Personal Service:

A-1. *Salaries:*

Secretary of State	\$ 13,000.00
Deputy Secretary of State	7,500.00
Corporation Clerk	5,064.00
Secretary	3,714.00
Clerk-Stenographer	3,714.00

A-2. Wages:

Porter	523.00
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A-3. Special Payments:

Clerical Help	200.00
For Salary and Wage Adjustments	2,026.00

B. Contractual Services:

B-2. Travel	1,500.00
B-3. Telegraph and Telephone ..	500.00
B-4. Repairs	150.00
B-7. Election Expense	14,000.00

C. Supplies:

C-4. Office Supplies	3,800.00
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D. Fixed Charges and Contributions:

D-2. Premiums on Bonds	325.20
D-3. Association Dues	100.00

G. Equipment:	
G-1. Office Equipment	300.00
<hr/>	
Total (Item 1) Keeping State Records	\$ 56,416.20
Item 2. Administration of Securities Act:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Deputy Securities Commissioner \$	8,300.00
Accountant-Investigator	6,000.00
Secretary	3,714.00
Secretary	3,000.00
A-3. Special Payments:	
Clerical Stenographic Help ...	350.00
For Salary and Wage Adjustments	1,687.00
B. Contractual Services:	
B-2. Travel	500.00
B-3. Telegraph and Telephone ..	300.00
B-4. Repairs	100.00
C. Supplies:	
C-4. Office Supplies	1,500.00
D. Fixed Charges and Contributions:	
D-1. Rents	2,200.00
D-2. Premiums on Bonds	36.00
D-3. Association Dues	100.00
G. Equipment:	
G-1. Office Equipment	300.00
<hr/>	
Total (Item 2) Administration of Securities Act	\$ 28,087.00
<hr/>	
TOTAL (Secretary of State)	\$ 84,503.20

SECTION 8

Comptroller General's Office

Item 1. Executive Control of Accounts:

A. Personal Service:

A-1. *Salaries:*

Comptroller General	\$ 13,000.00
Deputy Comptroller	8,500.00
Accountants	12,000.00
Auditors	20,050.00
Bookkeepers	22,725.00
Clerks	32,125.00

A-2. Wages	1,014.00
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A-3. Special Payments:

Clerical Help	4,200.00
For Salary and Wage Adjustments	9,551.00

B. Contractual Services:

B-2. Travel	1,300.00
B-3. Telegraph and Telephone ..	1,600.00
B-4. Repairs	2,000.00

C. Supplies:

C-4. Office Supplies	8,000.00
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D. Fixed Charges and Contributions:

D-1. Rents	39.00
D-2. Insurance	400.00
D-3. Contributions	50.00

G. Equipment:

G-1. Office Equipment	2,000.00
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Total (Item 1) Executive Control of Accounts	\$ 138,554.00
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Item 2. Counties:

A. Personal Service:

A-1. *Salaries:*

County Auditors	\$ 177,008.00
County Treasurers	177,008.00

B. Contractual Services:

B-5. Printing and Advertising ..	65,000.00
Settlements with Counties ...	6,000.00

Total (Item 2) Counties \$ 425,016.00

Item 3. Elections:

A. Personal Service:

A-1. *Salaries:*

Supervisors of Registration ..\$	69,000.00
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B. Contractual Services:

B-7. Election Expenses	95,000.00
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Total (Item 3) Elections \$ 164,000.00

Item 4. Confederate Pensions:

A. Personal Service:

A-3. Special Payments:

Per Diem of Board	\$ 100.00
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D. Fixed Charges and Contributions:

D-3. Contributions:

Confederate Pensions	23,000.00
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Total (Item 4) Confederate Pensions \$ 23,100.00

TOTAL (Comptroller General's

Office) \$ 750,670.00

Provided, That widows of Confederate veterans, who have attained the age of ninety (90) years, shall receive as pension the sum of Six Hundred (\$600.00) Dollars per year each, and that all others entitled to pensions under statute shall receive Two Hundred (\$200.00) Dollars each per year. *Provided, Further*, That not more than one pension shall be allowed or paid after the death of a pensioner, the said amount after death being for the purpose of defraying the funeral expenses of the said pensioner, but such funeral expenses shall not exceed the sum of Three Hundred (\$300.00) Dollars. *Provided, Further*, That for the year 1962-63 pensions shall be paid directly from the office of the Comptroller General, in a single payment, and as early after the beginning of the fiscal year as may be practical.

Provided, Further, The Comptroller General is hereby authorized to deputize any clerk or clerks in his employ to sign, in his stead,

warrants drawn against the treasurer in payment of fixed appropriated items including salaries and other routine payments, or to employ the use of a mechanical signer, and the State Treasurer is hereby authorized to accept such signatures when notified by the Comptroller General; *Provided*, That this provision shall in no way relieve the Comptroller General of responsibility.

Provided, That for the fiscal year 1962-1963 the state shall pay on the salaries of County Auditors and Treasurers \$3,848.00 each.

Provided, Further, That for the fiscal year 1962-63 Commissioners of General Elections shall receive as expenses the sum of \$150.00 per year, payable quarterly, and Managers and Clerks shall receive a per diem of \$6.00 per day; but Managers shall not be paid for more than one day for any election, and Clerks for not more than 3 days for any election.

SECTION 9

Attorney General

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Attorney General	\$ 13,000.00
First Asst. Attorney General ..	10,800.00
Assistant Attorney General ...	10,100.00
Assistant Attorney Generals (7)	58,250.00
Assistant Attorney General ...	9,200.00
Assistant Attorney General ...	9,200.00
Circuit Solicitors (14)	126,000.00
Assistant Attorney General ...	6,500.00
Secretary—Law Clerk	5,958.00
Secretary	4,200.00
Secretary	3,800.00
Secretary	3,120.00
Extra Stenographic Help	6,000.00
General Counsel—Public Service Commission	6,440.00

A-2. Wages:

Porter	150.00
For Salary and Wage Adjustments	22,931.50

B. Contractual Services:	
B-2. Travel	2,500.00
Expense Allowance (Solicitors)	8,400.00
B-3. Telegraph and Telephone...	3,500.00
B-4. Repairs	350.00
C. Supplies:	
C-4. Office Supplies	1,000.00
D. Fixed Charges and Contributions:	
D-1. Post Office Box Rent	24.00
D-2. Insurance (Official Bonds) ..	125.00
D-3. Contributions	150.00
G. Equipment:	
G-1. Office Equipment	1,500.00
<hr/>	
Total (Item 1) For Administration	\$ 313,198.50
Item 2. For State Litigation:	
A. Personal Service:	
A-3. Special Payments\$	3,000.00
B. Contractual Services:	
B-2. Travel	13,000.00
B-5. Printing and Advertising ..	2,500.00
C. Supplies:	
C-4. Office Supplies	7,000.00
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Total (Item 2) For State Litigation	\$ 25,500.00
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TOTAL (Attorney General)	\$ 338,698.50

Provided, That the Attorney General is hereby authorized to contract for the collection of debts, claims or obligations due the State, or any of its departments or institutions.

Provided, Further, That, unless otherwise provided herein, no department or agency of the State government shall employ attorneys except upon the advice and with the consent of the Attorney General in writing. Any fees to be paid such attorneys shall be approved by the Attorney General. This shall not apply to employment of attorneys in special cases in inferior courts where the fee to be paid does not exceed Twenty-five (\$25.00) Dollars.

Provided, Further, That the Attorney General shall assign one of his Assistants as Counsel for the South Carolina Tax Commission,

who shall perform all of the duties necessary in that Department, but shall also perform such additional duties as may be assigned to him by the Attorney General.

Provided, Further, That the Attorney General shall assign one of his assistants to the South Carolina Industrial Commission to perform all necessary legal duties in that department, but he shall also perform such additional duties as may be assigned to him by the Attorney General.

Provided, Further, That the Attorney General shall designate one of his assistants whose primary duties shall be to perform all necessary legal work for the Insurance Department, and any additional duties that may be assigned to him by the Attorney General.

Provided, Further, That the Attorney General shall appoint a general Counsel for the South Carolina Public Service Commission, who shall be an Assistant Attorney General, and who shall perform the legal duties of that Department, and any other duties to which he may be assigned by the Attorney General; *Provided, Further,* That the assessment against Public Utilities for the support of the Public Service Commission shall include a sufficient amount to cover the compensation and expenses of attorneys assigned by the Attorney General to the Public Service Commission.

Provided, Further, That necessary stenographic and other expenses of the attorneys assigned to other departments shall be borne by the Department to which the said attorneys are assigned.

SECTION 10

State Treasurer's Office

Item 1. Receiving and Disbursing Funds:

A. Personal Service:

A-1. Salaries:

Treasurer	\$ 13,000.00
Assistant Treasurer	8,000.00
Deputy	5,700.00
Chief—Bond Section	6,000.00
Bond Clerk	5,000.00
Auditor	5,200.00
Corporation Clerk	4,800.00
Securities Clerk	4,800.00
Disbursing Clerk	3,850.00

Bookkeepers (3)	16,400.00	
Senior Clerk	3,950.00	
A-2. Wages:		
Porter	514.00	
A-3. Special Payments:		
Extra Clerical Help	1,300.00	
For Salary and Wage Adjust- ments	6,397.00	
B. Contractual Services:		
B-2. Travel	3,000.00	
B-3. Telegraph and Telephone ..	1,500.00	
B-4. Repairs	1,200.00	
B-5. Printing and Advertising ..	750.00	
C. Supplies:		
C-4. Office Supplies	2,500.00	
D. Fixed Charges and Contributions:		
D-1. Rents	90.00	
D-2. Insurance	4,020.00	
D-3. Contributions (Association Dues)	80.00	
D-4. Service Charges	100.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
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Total (Item 1) Receiving and Dis- bursing Funds		\$ 99,151.00
Item 2. Administration Expense		
Withholding Tax:		
A. Personal Service:		
A-1. Salaries:		
Auditor	\$ 5,000.00	
IBM Supervisor	5,000.00	
For Salary and Wage Adjust- ments	500.00	
C. Supplies:		
C-4. Office Supplies	1,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	6,860.00	

G. Equipment:

G-1. Office Equipment	1,000.00	
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Total (Item 2) Administration Ex-		
pense Withholding Tax ..		

	\$	19,360.00
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Item 3. Payment of Bonded Debt:

D. Fixed Charges and Contributions:

D-4. Payment of Bonded Debt:

Interest on Agricultural College

Stock:

July 1, 1962	\$	5,754.00
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January 1, 1963		5,754.00
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Interest on Clemson Perpetual

Stock:

July 1, 1962		1,756.18
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January 1, 1963		1,756.18
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Principal and Interest Payment

on Whitten Village and

John G. Richards Ind. Sch.

Notes:

October 15, 1962 Principal ..	100,000.00
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October 15, 1962 Interest ..	6,000.00
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April 15, 1963 Interest	4,500.00
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Principal and Interest Payments

on School for the Deaf and

the Blind and F. F. A.

Camp:

October 15, 1962 Principal..	95,000.00
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October 15, 1962 Interest ..	3,800.00
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April 15, 1963 Interest	1,900.00
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Principal and Interest Payments

on State Ports Bonds:

September 1, 1962 Principal..	300,000.00
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September 1, 1962 Interest..	81,600.00
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March 1, 1963 Interest	76,500.00
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Principal and Interest Payments

on State Ports Bonds:

September 1, 1962 Interest..	73,125.00
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March 1, 1963 Interest	73,125.00
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March 1, 1963 Principal ...	250,000.00
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Principal and Interest Payments

on State Ports Bonds:

December 1, 1962 Interest ..	102,000.00
June 1, 1963 Principal	500,000.00
June 1, 1963 Interest	102,000.00

Principal and Interest Payments

on Stadium Notes:

October 1, 1962 Principal ..	40,000.00
October 1, 1962 Interest ...	8,800.00
April 1, 1963 Interest	8,000.00

Principal and Interest Payments

on Stadium Notes:

August 1, 1962 Interest	7,000.00
August 1, 1962 Principal ...	20,000.00
February 1, 1963 Interest ..	6,500.00

Institutional and Armory Bonds

(1958) :

August 1, 1962 Interest ...	25,500.00
February 1, 1963 Interest ..	25,500.00
February 1, 1963 Principal ..	212,500.00

Principal and Interest Payments

on Archives Building Note:

July 1, 1962 Principal	20,000.00
July 1, 1962 Interest	3,600.00
January 1, 1963 Interest	3,150.00

Total (Item 3) Payment of Bonded

Debt	\$ 2,165,120.36
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TOTAL (State Treasurer's Office) .. \$ 2,283,631.36

Provided, That seven and one-half (7½%) per cent of the state income taxes collected between July 1, 1962 and June 30, 1963, shall be allocated to the Counties of the State. Within thirty (30) days after the close of each quarter, the State Treasurer shall remit to each county of the State its percentage of the net income of such income taxes collected, according to his records, during the quarter just preceding. If, because of refunds by the Tax Commission, or for any other reason, it should develop that an overpayment shall have been made to any or all of the counties, the State Treasurer is authorized and directed to withhold from subsequent payments a

sufficient amount to adjust same to the terms of this provision. The amount herein allocated to the counties shall be distributed in accordance with the provisions of Section 5, of Part II, Act No. 207, Acts of 1961.

SECTION 11

Adjutant General's Office

Item 1. Administration:

A. Personal Service:

A-1. Salaries:

Adjutant General	\$ 13,000.00
Assistant Adjutant General ...	6,408.00
Secretary	4,774.00
Personnel Officer	5,528.00
Operations Officer	5,528.00
Clerk	3,466.00
Clerk	2,923.00
Stenographers	5,846.00
Steno-Clerks	8,226.00
Clerks	8,226.00
Armorer	3,013.00
A-2. Wages	10,062.28
A-3. Special Payments	3,000.00
For Salary and Wage Adjust- ments	5,897.00

B. Contractual Services:

B-2. Travel	4,000.00
B-3. Telegraph and Telephone ..	3,850.00
B-4. Repairs	20,000.00
B-6. Water, Heat, Light and Power	4,560.00

C. Supplies:

C-2. Fuel Supplies	3,500.00
C-4. Office Supplies	2,500.00
C-8. Motor Vehicle Supplies....	950.00
C-12. Other Supplies	1,500.00

D. Fixed Charges and Contributions:

D-2. Insurance	11,000.00
D-3. Contributions (Assn. Dues)	1,225.00
D-4. Other Fixed Charges (Co. Maintenance Fund)	65,000.00

Officers Candidate School (Pal. Mil. Acad.)	9,000.00
G. Equipment:	
G-1. Office Equipment	750.00
G-8. Other Equipment	1,000.00
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TOTAL (Adjutant General)	\$ 214,732.28
<i>Provided</i> , That in the event a National Guard unit is established in Berkeley County the construction of an armory shall be provided for in said county as soon as approval of such armories can be obtained and funds provided therefor.	
<i>Provided, Further</i> , That the Adjutant General is authorized to compensate the Director of the S. C. Retirement System for administering social security coverage for the technician employees of the S. C. National Guard.	

SECTION 12

University of South Carolina	
For Maintenance	\$ 4,015,859.00
Operation of Law Enforcement	
Training School	20,000.00
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TOTAL (University of South Carolina)	\$ 4,035,859.00

SECTION 13

The Citadel	
For Maintenance	\$ 1,721,683.00
For Debt Service on Stadium	
Bonds	11,575.00
<hr/>	
TOTAL (The Citadel)	\$ 1,733,258.00

SECTION 14

Clemson College (Collegiate Activities)	
For Maintenance	\$ 3,594,820.00
Teaching and Research in	
Water and Sewerage	10,000.00
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TOTAL Clemson College (Collegiate Activities)	\$ 3,604,820.00

SECTION 15

Winthrop College

For Maintenance \$ 1,688,162.00

Provided, That the Trustees of Winthrop College are authorized to continue the employment of Mrs. D. B. Johnson, widow of the founder of Winthrop College, regardless of retirement age.

SECTION 16

State Medical College

Medical College Maintenance ..	\$ 1,230,085.00
For Cancer Clinics	145,000.00
Cardiac Clinic	15,000.00
Medical College Hospital	1,236,960.00
School of Nursing Building ...	72,504.00

TOTAL (State Medical College) \$ 2,699,549.00

Provided, That out of the amount appropriated in this section the sum of \$8,000.00, or so much thereof as may be necessary, shall be used to cover the costs of scholarships provided in Act No. 800 of the Acts of 1948.

Provided, Further, That the appropriation provided in this Section for Psychiatric Residency Training shall be used by the authorities of the State Medical College to provide stipends in a career type program of psychiatric residency training at rates of \$5,000.00 for the first year, \$6,000.00 for the second year and \$7,000.00 for the third year for each such trainee. Any individual accepting such a residency shall legally obligate himself, or herself, to serve at least an equivalent amount of time, on completion of such training, in one of the State operated mental institutions, such as the South Carolina State Hospital and the various community mental health clinics.

Provided, Further, That any balance on June 30, 1962, in the 1961-62 appropriation for the Medical College Hospital may be carried forward and expended for the same purpose during the fiscal year 1962-63.

Provided, Further, That any balance on June 30, 1962 in the 1961-62 appropriation for psychiatric residency training may be carried forward and expended for the same purpose during the fiscal year 1962-63.

SECTION 17

S. C. State College

For Maintenance \$ 1,677,928.00

Provided, That the Board of Trustees of S. C. State College is hereby authorized to establish and maintain Graduate, Law, and Medical departments, and such other departments as may be deemed practicable and necessary to provide training in all lines of college activities for students attending this College, and to fix tuition fees for such courses commensurate with the costs thereof and in line with similar tuition charges at other state institutions.

SECTION 18

John de la Howe School

Administration	\$ 25,121.00
Education	51,750.00
Dietary	29,600.00
General Plant	78,400.00
Farm	17,900.00
Dairy	13,850.00
Infirmary	8,775.00
Laundry	4,125.00
Filter Plant Replacement	6,100.00

TOTAL (John de la Howe School) ... \$ 235,621.00

SECTION 19

School for the Deaf and the Blind

Administration	\$ 32,100.00
Education	324,200.00
Infirmary	9,300.00
General Plant	150,000.00
Dietary	112,000.00

TOTAL (School for the Deaf and the
Blind) \$ 627,600.00

SECTION 20

Superintendent of Education's Office

Item 1. Superintendence:

A. Personal Service:

A-1. *Salaries:*

Superintendent of Education ..\$ 13,000.00

Secretary—State Board of Education 4,895.00

A-3. Special Payments:

Per Diem of Board 1,000.00

Total Item 1 (Superintendence) ..	\$	18,895.00
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Item 2. State Department of Education—General Division of Administration and Finance:

A. Personal Service:

Dept. of School Administration:

A-1. *Salaries:*

Director\$ 6,800.00

Secretary 3,180.00

Supervisor — Publications and Releases 5,005.00

School Lunch Program:

Supervisor 6,000.00

Assistant Supervisor 5,250.00

Supervisor—Food Distribution 4,600.00

Steno-Bookkeeper 3,335.00

Clerks (3) 8,272.00

Department of Finance:

A-1. *Salaries:*

Finance Officer\$ 7,000.00

Supervisor—Budget and Personnel 4,300.00

State Aid Accountant 5,200.00

Supervisor Statistical Reports... 5,200.00

Supervisor Tab. Installation... 4,600.00

Steno-Bookkeeper 3,500.00

Auditors 8,500.00

Supervisor—School Attendance 5,200.00

Punch Machine Operator	2,800.00
Punch Machine Operator	2,800.00
Machine Operator	3,500.00
A-2. Wages:	
Porter	1,007.00
A-3. Special Payments:	
Accountants—Part Time	8,000.00
B. Contractual Services:	
B-1. Freight, Express and Delivery	25.00
B-2. Travel	30,000.00
B-3. Telephone and Telegraph . .	4,500.00
B-4. Repairs	800.00
B-5. Printing:	
Printing—Educational Bulletins	7,200.00
Printing—Alcohol Education .	200.00
C. Supplies:	
C-4. Office Supplies	14,000.00
C-7. Educational Supplies	300.00
D. Fixed Charges and Contributions:	
D-1. Rents	14,000.00
D-2. Insurance Bond Premiums .	52.50
D-3. Contributions (Association Dues)	1,100.00
G. Equipment:	
G-1. Office Equipment	1,500.00
Division of Teacher Education and Certification:	
A. Personal Service:	
A-1. Salaries:	
Director \$	6,800.00
Secretary	3,710.00
Supervisors (2)	10,510.00
Steno-Clerk	3,032.00
Chief Clerk	3,710.00
Trades Certificate Clerk	3,392.00
Recertification Clerk	3,032.00
Recertification Clerk	2,915.00
Steno-Clerk	3,032.00
Transcript Clerk	3,032.00
Clerk	2,816.00

A-3. Special Payments:	
Clerical Help	12,000.00
D. Fixed Charges and Contributions:	
D-4. Other Fixed Charges:	
Certification Expense	25,000.00
Division of Instruction:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Director	\$ 6,800.00
Secretary	2,600.00
Field Supervisors (2)	10,650.00
Chief Supervisor Secondary	
Education	6,400.00
Secretarial Assistant	3,939.00
Chief Supervisor of Elementary	
Education	6,000.00
Supervisor, Primary Education	5,300.00
Stenographer	2,600.00
Supervisor Physical Education ..	6,400.00
Supervisor Health Education ..	5,600.00
Stenographer	2,800.00
Agent for Negro Schools	6,025.00
Assistant Agent	5,200.00
Stenographer	2,860.00
Stenographer	2,756.00
Negro Supervisor	4,767.00
Stenographer	2,756.00
Supervisor Library Science ..	5,200.00
Supervisor Adult Education ..	5,550.00
Supervisor Audio Visual Aid ..	5,450.00
Supervisor Special Education ..	6,000.00
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Total Item 2 (State Department of	
Education—General)	\$ 366,360.50
Item 3. Special Services:	
A. Personal Service (Veterans' Education):	
A-1. <i>Salaries:</i>	
Director	\$ 5,839.00
Secretary	3,335.00
Stenographer	3,032.00

**Hard-of-Hearing and Speech Therapy
Program:****A-1. Salaries:**

Supervisor	6,135.00
Stenographer	2,756.00
Technical Assistant	5,565.00
Hearing and Speech Correction- ist	5,088.00
Hearing and Speech Correction- ist	4,650.00
Field Representative	4,134.00

B. Contractual Services:

B-1. Printing for Public Schools	12,000.00
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D. Fixed Charges and Contributions:**D-4. Other Fixed Charges:**

Aid to Handicapped, Hard-of- Hearing, and Speech Ther- apy Program	18,000.00
Education of Mentally and Phys- ically Handicapped Chil- dren	25,000.00
Curriculum Development	16,000.00
State Aid for Teachers' Salaries	66,570,000.00
Non-Teaching Principals, Supervisors and Special Teachers	500,000.00
Supervision and Overhead	3,113,070.00
Maintenance and Operation ..	3,891,337.50
Visiting Teachers (\$3,352.00 per county)	154,203.00
County School Lunch Super- visors	154,203.00
School Lunch Program Aid ..	165,000.00
County Superintendents of Edu- cation	221,248.00

**For Matching Federal Funds
for Administration of Fi-
nancial Assistants for
Strengthening Science,
Mathematics, and Modern**

Foreign Language Instruction	35,000.00	
For Matching Federal Funds for Guidance, Counseling and Testing; Identification and Encouragement of Able Students	13,474.00	
For Matching Federal Funds for Improvement of Statistical Services of State Educational Agencies	10,000.00	
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Total Item 3 (Special Services) . . .		\$74,939,069.50
For Salary and Wage Adjustments		\$ 24,402.00
Item 4. Special Schools:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Adult Schools	\$ 60,900.00	
Area Trade Schools Operating	419,664.00	
Operation of Catawba Indian School	1,600.00	
<hr/>		
Total Item 4 (Special Schools) . . .		\$ 482,164.00
Item 5. Vocational Education:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Agriculture	\$ 1,213,681.00	
Home Economics	789,502.00	
Trades and Industries	447,295.00	
Distributive Education	64,389.00	
Teacher Training	15,000.00	
Vocational Agriculture Camps .	2,500.00	
Home Economics Girls' Camps	5,000.00	
Trades and Industries—Camp Improvements	2,500.00	

Matching Federal Funds Area	
Vocational Education Pro-	
grams	25,000.00

Total Item 5 (Vocational Education)	\$ 2,564,867.00
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TOTAL (Superintendent of Educa-	
tion)	\$78,395,758.00

Provided, That the number of teachers qualifying for State Aid in 1962-63 shall be determined on the basis of enrollment and average daily attendance of either the year 1961-62 or 1962-63.

Provided, Further, That so much as may be necessary of the appropriation herein made for "State Aid for Teachers' Salaries" provided in Item 3 of this section, may be used to pay State Aid for Teachers' Salaries for the year 1961-62 should the appropriation for that year prove inadequate.

Provided, Further, that so much as may be necessary of the appropriation for payment of teachers' salaries, and for supervision and overhead, provided in Item 3 of this section, may be used to correct erroneous payments of prior years, which were due to improper classification or other justifiable causes.

Provided, Further, That the amount appropriated herein under Item 3 for County School Lunch Supervisors shall be used for the payment of salaries of one supervisor for each county at the rate of \$3,352.00 each per year, and no such salary shall be supplemented from funds provided in Item 3, of this Section, for "School Lunch Program Aid".

Provided, Further, That any excess of funds appropriated for the payment of teachers' salaries for the fiscal year 1961-62 shall be carried forward and applied as part payment of the amount appropriated for teachers' salaries for the fiscal year 1962-63.

Provided, Further, That the amount appropriated herein under Item 3 for Aid to Counties in the School Lunch program shall be divided among the County Boards of Education of the State upon the basis of the number of schools participating in the School Lunch Program in each County in the school year 1961-62. *Provided, Further*, that travel expense of County School Lunch Supervisors shall be paid out of this appropriation at the prevailing rate of mileage allowed by the State. *Provided, Further*, that all expenditures of this appropriation by each of the County Boards of Education shall be made upon the joint recommendation of the County Superin-

tendent of Education and the School Lunch Supervisor. Each County Superintendent shall, at the close of the fiscal year, submit to the State Superintendent of Education an itemized statement which shall indicate the disposition made of his county's share of this appropriation and any balance brought forward from the preceding year. Such records of the County Boards of Education shall be kept available for auditing by the accounting personnel of the State Superintendent of Education's office.

Provided, Further, That no pupil shall be refused lunch because of inability to pay, such inability to be determined by the local school superintendent and lunch room supervisor where the pupil attends.

Provided, Further, That in the distribution of State funds provided in this section for "Supervision and Overhead," for "Maintenance and Operation" and for "non-teaching principals, supervisors, and special teachers", no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based. *Provided, however,* that a pupil shall be counted as enrolled only in the first district, or operating unit, he legally attended.

Provided, Further, That notwithstanding the amount listed in item 3 as appropriated for "Supervision and Overhead," there is hereby appropriated, for the fiscal year 1962-63, an amount equal to the number of pupils enrolled in the public schools of the State during the fiscal year 1962-1963, as determined by the State Superintendent of Education, multiplied by Five (\$5.00) Dollars.

Provided, Further, That notwithstanding the amount listed in Item 3 as appropriated for "Maintenance and Operation," or any Act or parts of Acts to the contrary notwithstanding, there is hereby appropriated for the fiscal year 1962-63 an amount equal to the number of pupils enrolled in the public schools of the State during the fiscal year 1962-63, as determined by the State Superintendent of Education multiplied by Six Dollars and Twenty-Five Cents (\$6.25), and the State Superintendent of Education is hereby directed to allot and distribute this fund on that basis.

Provided, Further, that the State Superintendent of Education is hereby authorized to withhold an amount not to exceed \$240,000.00 from the \$5.00 per pupil appropriated for supervision and overhead, to be used for matching Federal funds provided in Title V of the National Defense Education Act of 1958, and that the balance of the

\$5.00 per pupil be distributed to the school districts in the same manner as provided by law.

Provided, Further, that the Federal funds provided in Title V for guidance, testing, and counseling, plus the funds withheld, will be distributed to the school districts under the state plans approved by the State Board of Education by which South Carolina is qualified to participate in the program. Schools that do not wish to participate under the provisions of Title V of the National Defense Education Act will be reimbursed with any state funds that have been withheld under this proviso.

Provided, Further, That for the fiscal year 1962-63 the State shall pay on the salaries of County Superintendents of Education \$4,809.50 each on warrants approved by the State Superintendent of Education. In counties where schools are operated by the County Board of Education under a county unit system such payment for county superintendents of education may be applied by the Board of Education on the salary of the director or chief administrative officer of schools.

Provided, Further, That the authorities of the Area Trade Schools are authorized and directed to charge a tuition fee to students of not exceeding \$30.00 per semester, and to use the proceeds of such tuition fees for operation and/or permanent improvements. The amount of the tuition fees to be used for permanent improvements, and the nature of such improvements, shall be approved by the State Budget and Control Board.

Provided, Further, That the amount appropriated herein under Item 3 for Education of Mentally and Physically Handicapped Children shall be used to reimburse school districts for expense incurred during the year 1961-1962 in the operation of such programs in accordance with Act 882, Acts of 1958, but no district shall be reimbursed for more than 70% of such expense nor more than \$150.00 per child per year in average daily attendance.

Provided, Further, That the amount appropriated herein under Item 3 for Non-Teaching Principals, Supervisors and Special Teachers shall be allotted to school districts on the basis of the number of pupils enrolled in the public school during fiscal year 1962-1963.

Provided, Further, That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are working with the Federal Projects and who are below existing salaries for comparable services in other state agencies and institutions.

SECTION 21

South Carolina Opportunity School

Administration	\$ 23,560.00
Instruction	43,280.00
Dietary	34,083.00
Infirmary	2,457.00
General Plant	56,154.00
Vocational Rehabilitation Diag- nostic Center	23,007.00

TOTAL (S. C. Opportunity School)	\$ 182,541.00
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SECTION 22

State Agency of Vocational Rehabilitation

Administration	\$ 20,698.00
Case Services to Clients	529,302.00

TOTAL (State Agency of Voc. Re- habilitation)	\$ 550,000.00
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Provided, That any balance in the appropriation for Vocational Rehabilitation for the year 1961-62, but not in excess of 5% thereof, may be carried forward and expended for the same purposes during the fiscal year 1962-63.

SECTION 23

State Educational Finance Commission

Item 1. Commission:

A. Personal Service:

A-3. Special Payments:

Per Annum of Commission ...	\$ 500.00
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Item 2. General Administration:

A. Personal Service:

A-1. Salaries:

Director	\$ 9,540.00
Finance Officer	7,500.00
Secretary	4,176.00
Asst. Finance Officer	5,000.00
Field Consultant	5,056.00

Clerk	3,180.00	
Stenographer (P. T.)	700.00	
A-2. Wages	303.00	
For Salary and Wage Adjust- ments	3,530.00	
B. Contractual Services:		
B-2. Travel	10,000.00	
B-3. Telegraph and Telephone ..	2,500.00	
B-4. Repairs	500.00	
C. Supplies:		
C-4. Office Supplies	4,000.00	
C-8. Motor Vehicle Supplies ...	550.00	
D. Fixed Charges and Contributions:		
D-2. Insurance (Bond Premium)	12.50	
G. Equipment:		
G-1. Office Equipment	1,000.00	
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Total (Item 2) General Administra- tion		\$ 57,547.50
Item 3. Transportation:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
School Bus Operating Expense	\$ 6,532,161.67	
<hr/>		
Total (Item 3) Transportation		\$ 6,532,161.67
Item 4. School Buildings:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Supervisor, Schoolhouse Plan- ning	\$ 7,081.00	
Assistant Supervisor, School- house Planning	6,212.00	
Secretary	3,600.00	
For Salary and Wage Adjust- ments	1,689.00	
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
County Surveys	500.00	
School Building Aid	12,337,820.00	
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Total Item 4 (School Buildings) ..		\$12,356,902.00

Item 5. Debt Service:

D. Fixed Charges and Contributions:

D-4. Other Fixed Charges:

State School Bonds:

Principal	\$ 1,880,000.00
Interest	273,325.00

Total Item 5 (Debt Service)	\$ 2,153,325.00
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TOTAL (State Educational Finance Commission)	\$21,100,436.17
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Provided, That, notwithstanding the amount listed in Item 4 of this Section, as appropriated for "School Building Aid," there is hereby appropriated for the fiscal year 1962-63 an amount equal to the number of pupils enrolled in the schools of the State during the fiscal year 1961-62, as determined by the State Department of Education, multiplied by Twenty (\$20.00) Dollars. *Provided*, That in the allocation of State Funds provided in this Section for "School Building Aid" no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based.

Provided, Further, That principal and interest payments due on any school bonds, the proceeds of which have not been allocated to the counties of the State, shall be made from any such unallocated funds remaining in the State Treasury.

Provided, Further, That the State Educational Finance Commission is hereby authorized to sell used school buses that may be determined to be no longer safe or economical in transporting school children, and the proceeds of such sales may be expended for such additional equipment or the operation thereof.

Provided, Further, That for the school year 1962-63 student school bus drivers shall be paid at the rate of \$35.00 per month, and adult drivers at not exceeding \$60.00 per month from State Funds. *Provided, further*, that the number of adult bus drivers paid from State Funds in any county shall not be in excess of 10% of the total number of bus drivers in such county.

Provided, Further, That a certificate of merit, signed by the appropriate state and local officer, shall be awarded annually to any student driver who has a perfect driving record, with no accident for which

he is responsible, according to the determination of the State Highway Department, and with no infractions of rules or regulations. The certificate of merit shall be awarded at the commencement exercises of the school which the driver attends, and with each such certificate there shall be awarded \$25.00 in cash. The winners of the certificates and cash awards shall be selected by local school officials and County Boards of Education after consultation with the officials of the State Highway Department and an examination of its records pertaining to bus drivers.

Provided, Further, That the State Educational Finance Commission is directed to charge against the responsible local operating unit the cost of any gasoline and oil delivered to school tanks and not properly accounted for, after making reasonable allowance for evaporation.

Provided, Further, That out of the appropriation in this section for School Bus Operating Expense, the Commission may purchase such number of service trucks as can be used to advantage in administering the transportation program.

Provided, Further, That any balances on June 30, 1962 and on June 30, 1963 in the respective appropriations for School Bus Operating Expense may be carried forward and expended for the purpose of Shop Construction and Equipment in the immediately succeeding fiscal years.

SECTION 24

S. C. Educational Television Commission

Personal Service	\$ 217,576.00	
Contractual Services	388,600.00	
Supplies	46,000.00	
Fixed Charges and Contributions	19,950.00	
Equipment	143,380.00	
<hr/>		
TOTAL (S. C. Educational Television Comm.)		\$ 815,506.00

SECTION 25

South Carolina Library Board

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 6,200.00
Catalog-Order Librarian	5,500.00
Field Service Librarian	5,300.00
Library Assistant	3,300.00
Secretary-Bookkeeper	2,968.00
Catalog Assistant	2,968.00
Accession Assistant	2,968.00

A-2. Wages:

Janitor	282.00
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A-3. Special Payments:

Travel and Per Diem of Board Members	500.00
For Salary and Wage Adjust- ments	1,807.00

B. Contractual Services:

B-1. Freight, Express and Deliv-
eries

200.00

B-2. Travel

2,500.00

B-3. Telegraph and Telephone ..

300.00

B-4. Repairs

100.00

B-5. Printing and Advertising ..

300.00

C. Supplies:

C-4. Office Supplies

1,000.00

C-8. Motor Vehicle Supplies ...

200.00

D. Fixed Charges and Contributions:

D-2. Insurance

300.00

D-3. Contributions (State Aid) ..

65,755.00

Service to the Blind

7,000.00

G. Equipment:

G-1. Office Equipment

400.00

G-4. Motor Vehicles and Equip-
ment

200.00

G-7. Educational Equipment (Books for State Aid) . . .	5,000.00
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TOTAL (South Carolina Library Board)	\$ 115,048.00

SECTION 26

South Carolina Schoolbook Commission

For Administration:**A. Personal Service:****A-1. Salaries:**

Director and Executive Secre- tary	\$ 7,780.00
Assistant Director	6,113.00
Secretary	3,789.00
Bookkeepers (3)	10,228.00
Stenographer-Bookkeeper	3,434.00
Field Auditors (4)	18,618.00

A-3. Special Payments:

Per Diem of Board	500.00
Clerical Help	2,000.00
For Salary and Wage Adjust- ments	4,996.00

B. Contractual Services:

B-1. Freight, Express and De- liveries	1,800.00
B-2. Travel	5,600.00
B-3. Telegraph and Telephone	600.00
B-4. Repairs	350.00
B-5. Printing and Advertising	75.00

C. Supplies:

C-4. Office Supplies	5,000.00
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D. Fixed Charges and Contributions:

D-2. Insurance	260.00
D-3. Contributions	20.00

G. Equipment:

G-1. Office Equipment	700.00
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G-4. Motor Vehicles and Equip- ment	75.00
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TOTAL (South Carolina Schoolbook Commission)	\$ 71,938.00
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Provided, That the Director of the Schoolbook Commission may expend from textbook rentals whatever amount is necessary in connection with the repair, testing and redistribution of used textbooks.

SECTION 27

Archives Department

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Director	\$ 10,000.00
Assistant Director	7,200.00
Secretary and Bookkeeper	4,500.00
Librarian	3,800.00
Museum Curator	3,200.00
Editorial Assistants (2)	7,661.00
Archivist	4,500.00

A-2. Wages:

Superintendent of Building and Grounds	4,500.00
Janitor	2,100.00
Document Repairs	6,286.00
Photographer	3,600.00
Historical Marker and Research Specialist	4,500.00

A-3. Special Payments:

Clerical Help	4,200.00
Travel and Per Diem	650.00
For Salary and Wage Adjust- ments	4,685.00

B. Contractual Services:

B-1. Freight, Express and De- liveries	250.00
B-2. Travel	1,000.00
B-3. Telegraph and Telephone ..	825.00
B-4. Repairs	4,000.00

B-5. Printing and Editing Historical Documents	7,500.00	
B-6. Water, Heat, Light and Power	8,300.00	
C. Supplies:		
C-4. Office Supplies	1,500.00	
C-5. Household, Laundry and Janitorial Supplies	700.00	
C-8. Motor Vehicle Supplies ..	200.00	
C-9. Agricultural Supplies	100.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	600.00	
G. Equipment:		
G-1. Office Equipment	1,500.00	
G-4. Motor Vehicles and Equipment	100.00	
G-7. Educational Equipment	2,000.00	
Total Item 1 (Administration)		\$ 99,957.00
Item 2. Calhoun Papers Project:		
For Administration:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Regular Staff	\$ 15,000.00	
B. Contractual Services:		
B-2. Travel	500.00	
B-4. Repairs	50.00	
C. Supplies:		
C-4. Office Supplies	150.00	
G. Equipment:		
G-7. Educational Equipment	150.00	
Total Item 2 (Calhoun Papers Project)		\$ 15,850.00
TOTAL (Archives Department)		\$ 115,807.00

Provided, That the Commission is authorized to supply one free copy of each new publication to the libraries of the University of South Carolina, The Citadel, Clemson, Winthrop, and S. C. State College;

to each member of the Commission and its Directors; to the State Library; to each public library which is approved for a cash allotment by the South Carolina State Library Board; and to each former member of the Commission living in South Carolina.

Provided, Further, That the proceeds of sales of publications by the Archives Department shall be deposited in a special account in the State Treasury, and may be used by this department to cover the cost of additional printing.

SECTION 28

State Library

For Administration:

A. Personal Service:

A-1. *Salaries:*

Librarian	\$ 5,629.00
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A-2. *Wages:*

Porter Service	1,996.00
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Laborers	317.60
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A-3. *Special Payments:*

Clerical Help	317.60
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B. Contractual Services:

B-1. Freight, Express and Deliveries	500.00
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B-2. Travel	400.00
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B-3. Telegraph and Telephone	200.00
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B-4. Repairs	700.00
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B-5. Printing, Advertising and Binding	250.00
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C. Supplies:

C-4. Office Supplies	500.00
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D. Fixed Charges and Contributions:

D-2. Insurance	7.50
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D-3. Contributions (Association Dues)	24.50
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G. Equipment:

G-1. Office Equipment	150.00
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G-7. Educational Equipment	500.00
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G-8. Other Equipment	50.00
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TOTAL (State Library)	\$ 11,542.20
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SECTION 29

Confederate Relic Room

For Administration:

A. Personal Service:

A-1. *Salaries:*

Custodian	\$ 3,335.00
Laborers	10.00

A-3. Special Payments:

Clerical Help	140.00
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B. Contractual Services:

B-3. Telegraph and Telephone ..	162.00
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B-4. Repairs	60.00
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C. Supplies	30.00
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G. Equipment:

G-1. Office Equipment	40.00
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TOTAL (Confederate Relic Room) .	\$ 3,777.00
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SECTION 30

State Department of Public Welfare

Item 1. Administration	\$ 1,613,843.00
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Item 2. Cash Assistance:

(a) Old Age	\$ 3,131,000.00
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(b) Blind	300,000.00
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(c) Dependent Children	1,161,000.00
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(d) Aid to Permanently and Totally Disabled	1,021,000.00
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(e) Foster Home Care	400,000.00
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Total (Item 2) Cash Assistance ...	\$ 6,013,000.00
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Item 3. General Relief	\$ 600,000.00
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Item 4. Miscellaneous:

(a) Eye Examination and Treatment of and Training Blind	\$ 150,000.00
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Item 5. Care of Persons Transferred from Confederate Home ..	\$ 8,000.00
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TOTAL (State Department of Public Welfare)	\$ 8,384,843.00
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Provided, That any balances of appropriations for this Department, which are unexpended on June 30, 1962, may be carried forward and expended during the fiscal year 1962-63 for such purposes as may be deemed by the Board to be in the best interest of the work of the Department. *Provided, However*, That not more than five (5%) per cent of the amount appropriated for any item or subitem shall be carried forward.

Provided, Further, That the basis of monthly benefit payments during the year 1961-62 in the old age category shall be maintained during the year 1962-63.

Provided, Further, That the sums herein appropriated shall be so distributed that every applicant who is found eligible shall receive some benefit.

SECTION 31

South Carolina Mental Health Commission

Item 1. Administrative Division:

A. Personal Service:

A-1. Salaries:

Director	\$ 14,000.00
Secretary	3,881.00
Fiscal Agent	4,926.00
Bookkeeper	3,183.00
Statistician	4,804.00
Punch Machine Operators (2) ..	6,063.00
Stenographer	3,638.00

A-3. Special Payments

For Salary and Wage Adjust- ments	500.00
	2,650.00

B. Contractual Services:

B-2. Travel	2,000.00
B-3. Telegraph and Telephone ..	2,600.00
B-4. Repairs	4,200.00
B-5. Printing and Advertising ..	400.00
B-6. Water, Heat, Light and Power	1,000.00
B-7. Other Contractual Services.	2,520.00

C. Supplies:

C-2. Fuel Supplies	600.00
C-4. Office Supplies	3,000.00

C-7. Educational Supplies	500.00	
C-8. Motor Vehicle Supplies	625.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	140.00	
D-4. Other Fixed Charges	150.00	
G. Equipment:		
G-1. Office Equipment	750.00	
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Total (Item 1) Administrative Division		\$ 62,130.00
Item 2. Mental Hygiene Division:		
Operation of Clinics		\$ 300,102.86
To establish Area No. 5 Mental Health Center (Abbeville, Edgefield, Saluda, Greenwood, Laurens and McCormick Counties)		25,000.00
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TOTAL (S. C. Mental Health Commission)		\$ 387,232.86

SECTION 32

South Carolina State Hospital

Administration	\$ 437,031.00	
Professional Services	3,880,000.00	
General Plant	3,625,000.00	
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Total		\$ 7,942,031.00
Architect Plans for Chapel		\$ 5,000.00
For Additional Employees		150,000.00
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TOTAL (S. C. State Hospital)		\$ 8,097,031.00

Provided, That upon approval of the State Budget and Control Board, transfers may be made from the appropriation of the State Hospital to that of the Pineland Training School, or vice versa.

Provided, Further, That the services of Dr. George Benet, Chief Surgeon at the State Hospital, may be continued regardless of the South Carolina Retirement laws relating to retirement age.

SECTION 33

Pineland Training School

Administration	\$ 18,340.00
Professional Services	200,300.00
Training Services	32,900.00
General Plant	223,631.00
Equipment for Improving Nurs- ing Facilities in Hospital Buildings, four dormitories and Educational Program for Occupational and In- dustrial Rehabilitation . . .	32,000.00

TOTAL (Pineland Training School) \$ 507,171.00

SECTION 34

Whitten Village

Personal Service	\$ 1,685,327.00
Other Operation Expense	839,673.00

TOTAL (Whitten Village) \$ 2,525,000.00

Provided, That the Board is authorized to continue the employment of the present Superintendent, notwithstanding the requirements of law concerning the retirement of State employees.

SECTION 35

South Carolina Sanatorium

Administration	\$ 60,145.00
Care of Patients	585,175.00
Education—Child Patients . . .	6,230.00
Dietary	268,730.00
Plant Maintenance	150,400.00
Laundry	22,750.00
Dairy and Farm	73,727.00
County Sanatoria	120,000.00

TOTAL (South Carolina Sanatorium) \$ 1,287,157.00

Provided, That the State of South Carolina shall pay to the County Tubercular Sanatoriums in Charleston, Richland, Greenville and Spartanburg Counties, \$1.50 per day for each tubercular patient hospitalized and receiving treatment in such sanatorium and \$1.50 per day shall be deducted from the amount payable to county Sanatoria for each patient admitted to the South Carolina Sanatorium from such county: *Provided, However*, That all payments made by the State under the provisions hereof shall be approved by the South Carolina Sanatorium. And, in order to provide a means whereby the South Carolina Sanatorium may act intelligently in approving such payments, the diagnosis and condition of patients paid for by the State, and the standard of such sanatoria shall be subject to such checks and inspection at such intervals as the South Carolina Sanatorium may prescribe.

SECTION 36

S. C. Alcoholic Center

Operation and Maintenance of Treatment and Rehabilitation Center	\$ 115,460.00
Administration and Adult Education	40,000.00

TOTAL (S. C. Alcoholic Center) .. \$ 155,460.00

Provided, That any balance of the appropriation for the fiscal year 1961-1962, shall be carried forward and expended for administration, education, operations and maintenance for the fiscal year 1962-1963, and all revenues received from patient care may be retained and used as above indicated.

SECTION 37

Children's Bureau

For Administration :

A. Personal Service:

A-1. *Salaries*:

Supervisor	\$ 6,500.00
Director of Case Work	6,000.00
Field Workers	35,233.00
Secretary	3,500.00
Bookkeeper	3,793.00
Stenographer	3,066.00
Stenographer and File Clerk ..	2,728.00

A-3. Special Payments:	
Per Diem and Travel—	
Board of Directors	1,500.00
Professional Fees	3,500.00
Maternity and Hospital Care ..	10,000.00
For Salary and Wage Adjust- ments	6,082.00
B. Contractual Services:	
B-2. Travel:	
For Employees	11,000.00
For Children (Care and Sub- sistence)	12,000.00
B-3. Telegraph and Telephone ..	1,000.00
B-4. Repairs	300.00
B-5. Printing and Advertising ...	300.00
C. Supplies:	
C-4. Office Supplies	1,000.00
C-6. Medical Supplies	300.00
C-7. Educational Supplies	50.00
C-10. Clothing and Dry Goods ..	750.00
D. Fixed Charges and Contributions:	
D-3. Contributions	175.00
G. Equipment:	
G-1. Office Equipment	500.00
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TOTAL (Children's Bureau)	\$ 109,277.00

SECTION 38

South Carolina Probation, Parole and Pardon Board

For Administration:

A. Personal Service:

A-1. Salaries:

Director	\$ 9,350.00
Supervisor of Paroles	8,250.00
Assistant Director	6,600.00
Field Supervisor	5,808.00
Fugitive Officer	5,808.00
Secretary	3,630.00
Stenographer	3,121.00
Steno-File Clerk No. 1	3,121.00

Steno-File Clerk No. 2	2,790.00	
Stenographers For Probation Officers	65,940.00	
Probation Officers	236,457.00	
For Salary and Wage Adjustments	33,607.00	
A-3. Special Payments:		
Per Diem of Board	2,000.00	
B. Contractual Services:		
B-2. Travel	53,500.00	
B-3. Telegraph and Telephone ..	2,000.00	
B-4. Repairs	300.00	
C. Supplies:		
C-4. Office Supplies	4,200.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	150.00	
D-3. Contributions (Association Dues)	100.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
TOTAL (South Carolina Probation, Parole and Pardon Board)		\$ 447,732.00

SECTION 39

State Penitentiary

Personal Service	\$ 741,725.00	
Contractual Services	61,610.00	
Supplies	541,600.00	
Fixed Charges	7,725.00	
Equipment	65,396.00	
TOTAL (State Penitentiary)		\$ 1,418,056.00

Provided, That the salaries of the Superintendent and of the Captain of the Guard shall be fixed by the Board of Directors of the Penitentiary.

Provided, Further, That from and after the passage of this Act no charge shall be made against the counties of the State for the maintenance of prisoners admitted to the Penitentiary for safekeeping for the first 90 days of such safekeeping, when a proper showing is made

by the county authorities that there is sufficient necessity for the admission of such prisoners, but a charge of One Dollar and Thirty-Five (\$1.35) Cents for each day in excess of ninety (90) days shall be made to the county from which such prisoner is committed, and such charge shall be paid monthly.

Provided, Further, That, after consultation with the State Forester, mature trees and trees suitable for pulp wood or fence posts may be sold in a program of forest improvement.

Provided, Further, That revenue derived wholly from the sale of farm products may be retained by the Penitentiary and used in its operation.

Provided, Further, Whenever a convict shall be discharged from the Penitentiary the Board of Directors thereof shall furnish such convict with a suit of common clothes, if deemed necessary, and transportation from the Penitentiary to his home, if his home be within this State, or to the County from which he was sentenced if his home be without this State.

SECTION 40

State Industrial Schools' Board

Item 1. For Administration:

A. Personal Service:

A-3. Special Payments:

Per Diem and Expense of Board

Members	\$ 3,000.00
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Item 2. Juvenile Placement Bureau:

A. Personal Service:

A-1. Salaries:

Director	6,763.00
Assistant Director	5,720.00
Secretary	3,265.00
Workers	17,472.00
For Salary and Wage Adjust- ments	2,750.00

B. Contractual Services:

B-2. Travel	10,700.00
B-3. Telegraph and Telephone ..	400.00

C. Supplies:

C-4. Office Supplies	550.00
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D. Fixed Charges and Contributions:	
D-1. Rent	600.00
D-2. Insurance	5.00
G. Equipment:	
G-1. Office Equipment	100.00
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Total (Item 2) Juvenile Placement Bureau	\$ 48,325.00
<hr/>	
TOTAL (State Industrial Schools' Board)	\$ 51,325.00

SECTION 41

Industrial School for Boys

Personal Service	\$ 173,175.00
Contractual Services	13,815.00
Supplies	80,700.00
Fixed Charges	5,730.00
Equipment	12,120.00
Vocational Training	36,251.00
<hr/>	
Total	\$ 321,791.00
Permanent Improvements	\$ 17,500.00
<hr/>	
TOTAL (Industrial School for Boys)	\$ 339,291.00

Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 42

Industrial School for Girls

Personal Service	\$ 76,538.00
Contractual Services	14,750.00
Supplies	48,100.00
Fixed Charges	2,290.00
Equipment	9,160.00
<hr/>	
TOTAL (Industrial School for Girls)	\$ 150,838.00

Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 43

John G. Richards Industrial School

Personal Service	\$ 107,000.00
Contractual Services	11,720.00
Supplies	60,560.00
Fixed Charges	4,040.00
Equipment	16,250.00
Vocational Training	24,575.00

TOTAL (John G. Richards Industrial
School) \$ 224,145.00

Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 44

Industrial School for Negro Girls

Personal Service	\$ 51,785.00
Contractual Services	6,035.00
Supplies	31,800.00
Fixed Charges	790.00
Equipment	3,591.00

TOTAL (Industrial School for Negro
Girls) \$ 94,001.00

Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 45

State Budget and Control Board

Section 1. Finance Division:

A. Personal Service:

A-1. *Salaries:*

State Auditor	\$ 12,000.00
Special Assistant	10,000.00
Assistant Auditors	49,200.00
Secretary	4,660.00
Stenographer-Clerk	3,860.00

A-2. *Wages:*

Porter Service	1,040.00
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A-3. *Special Payments:*

Special Payments-Clerical Help	5,850.00
Engineering Services	16,800.00
For Salary and Wage Adjust- ments	8,900.00

B. Contractual Services:

B-2. Travel	6,000.00
B-3. Telegraph and Telephone ..	1,500.00
B-4. Repairs	1,000.00

C. *Supplies:*

C-4. Office Supplies	2,000.00
C-8. Motor Vehicle Supplies ...	500.00

D. Fixed Charges and Contributions:

D-1. Rents	18.00
D-2. Insurance	500.00
D-3. Contributions (Association Dues)	50.00

E. Civil Contingent Fund

150,000.00

G. *Equipment:*

G-1. Office Equipment	300.00
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Total (Section 1) Finance Division

\$ 274,178.00

Section 2. Division of Sinking Funds
and Property:

Item 1. Administration:

A-1. *Salaries:*

Director	\$ 12,000.00
Special Agents	18,559.00

Secretary and Bond Clerk	4,310.00	
Insurance Clerk	3,930.00	
Clerk and Bookkeeper	3,835.00	
Steno-Clerk	3,169.00	
Steno-Clerk	3,169.00	
A-3. Special Payments:		
Clerical Help	1,300.00	
For Salary and Wage Adjust- ments	3,697.00	
B. Contractual Services:		
B-2. Travel	1,250.00	
B-3. Telegraph and Telephone . .	1,500.00	
B-4. Repairs	600.00	
B-5. Printing and Advertising . .	25.00	
C. Supplies:		
C-4. Office Supplies	1,500.00	
C-8. Motor Vehicle Supplies . . .	1,000.00	
D. Fixed Charges and Contributions:		
D-2. Insurance (P r e m i u m o n Bonds)	85.00	
G. Equipment:		
G-1. Office Equipment	500.00	
Total (Item 1) Administration		\$ 60,429.00
Item 2. State Buildings and Grounds:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
State Electrician \$	6,360.00	
Asst. Electrician	5,141.00	
Asst. Electrician	4,200.00	
Superintendent (Office Build- ings)	5,414.00	
Asst. Superintendent (Office Buildings)	4,240.00	
Mechanic	3,029.00	
Gardener	4,926.00	
Day Policeman	5,023.00	
Night Watchmen	19,647.00	
Maintenance Men	7,101.00	

A-2. Wages:	
Janitors and Cleaners	85,000.00
Janitress—State House	885.00
Elevator Operators	10,430.00
Window Washers	1,320.00
Laborers	6,707.00
A-3. Special Payments:	
Temporary Help	200.00
For Salary and Wage Adjust- ments	11,063.00
B. Contractual Services:	
B-1. Freight, Express and De- liveries	100.00
B-2. Travel	385.00
B-3. Telegraph and Telephone ..	486.00
B-4. Repairs—General	26,470.00
B-6. Water, Heat, Light and Power	140,000.00
C. Supplies:	
C-2. Fuel and Refrigeration Supplies	14,138.00
C-4. Office Supplies	420.00
C-5. Household, Laundry and Janitorial Supplies	6,000.00
C-9. Agricultural Supplies	2,250.00
C-10. Clothing and Dry Goods ..	1,000.00
C-11. Maintenance Supplies	5,900.00
C-12. Other Supplies	12,000.00
D. Fixed Charges and Contributions:	
D-1. Rents	12.00
D-2. Insurance	5,582.00
D-4. Amortization of Office Build- ing Debt	201,375.00
G. Equipment	4,516.00
Total (Item 2) State Buildings and Grounds	
	\$ 601,320.00
Total (Section 2) Division of Sink- ing Funds and Property ..	
	\$ 661,749.00

Section 3. Division of Office Supplies
and Printing:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 6,996.00
Secretary	4,481.40

A-2. *Wages:*

Delivery Service	2,080.00
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A-3. *Special Payments:*

Clerical Help	200.00
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B. Contractual Services:

B-2. Travel	300.00
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B-3. Telegraph and Telephone ..	300.00
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B-5. *Printing and Advertising:*

Printing State Documents	175,000.00
University Library—Exchange	1,000.00

C. *Supplies:*

C-4. Office Supplies	300.00
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D. *Fixed Charges and Contributions:*

D-1. Rents (Box Rent)	12.00
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G. *Equipment:*

G-1. Office Equipment	100.00
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Total (Section 3) Division of Office
Supplies and Printing

\$ 190,769.40

Section 4. Division of Purchasing:

Item 1. *Purchasing:*

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,095.00
Assistant Director	7,579.00
Chief Clerk	5,685.00
Secretary	4,550.00
Clerks, Stenographers and Typ- ists	12,508.00
For Salary and Wage Adjust- ments	3,942.00

B. Contractual Services:

B-1. Freight, Express and Deliv- eries	50.00
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B-2. Travel	600.00
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B-3. Telegraph and Telephone ..	1,400.00	
B-4. Repairs	300.00	
B-5. Printing and Advertising...	600.00	
C. Supplies:		
C-4. Office Supplies	4,000.00	
C-8. Motor Vehicle Supplies ...	600.00	
D. Fixed Charges and Contributions:		
D-1. Rents	24.00	
D-2. Insurance	150.00	
D-3. Contributions (Assn. Dues)	100.00	
G. Equipment:		
G-1. Office Equipment	2,000.00	
<hr/>		
Total (Item 1) Purchasing		\$ 53,183.00
Item 2. Surplus Property:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 8,337.00	
Field Agents (2) ..	11,747.00	
Secretary	3,638.00	
Steno-Clerk	3,032.00	
For Salary Adjustments	2,675.00	
B. Contractual Services:		
B-2. Travel	3,500.00	
B-3. Telegraph and Telephone ..	750.00	
B-4. Repairs	200.00	
C. Supplies:		
C-4. Office Supplies	1,000.00	
D. Fixed Charges and Contributions:		
D-3. Contributions (Ass'n Dues)	50.00	
<hr/>		
Total (Item 2) Surplus Property..		\$ 34,929.00
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Total (Section 4) Division of Purchasing		\$ 88,112.00
Section 5. Retirement:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 9,540.00	
Assistant Director	6,250.00	
Secretary	4,222.40	

Chief Accountant	5,830.00
General Bookkeeper — Supervisor	4,550.00
Junior Accountant	4,198.00
Senior Bookkeeper	4,290.00
Steno-Clerks	21,033.50
Posting Machine Operators (4)	12,311.80
Register Clerk	3,207.00
Typist-Clerks	12,077.50
Bookkeeper	3,119.00
Senior Clerk	3,078.00
Disbursement Clerk	3,078.00
Junior Clerks (4)	9,131.10
Retirement Clerk	3,078.00
A-2. Wages:	
Messenger-Janitor	1,693.20
A-3. Special Payments and Clerical Help:	
Actuary	10,000.00
Medical Board	2,700.00
Clerical Help	1,000.00
For Salary and Wage Adjustments	10,984.00
B. Contractual Services:	
B-2. Travel	2,000.00
B-3. Telegraph and Telephone ..	1,200.00
B-4. Repairs	2,600.00
B-7. Other	75.00
C. Supplies:	
C-4. Office Supplies	7,000.00
Postage	5,500.00
C-8. Motor Vehicle Supplies	750.00
D. Fixed Charges and Contributions:	
D-1. Rents	3,925.80
D-2. Insurance ..	600.00
D-3. Contributions	75.00

G. Equipment:

G-1. Office Equipment 5,000.00

Total (Administration) \$ 164,117.30

State Employer Contribution \$15,950,000.00

Total (Section 5) Retirement \$16,114,117.30

TOTAL (State Budget and Control
Board) \$17,328,925.70

Provided, That warrant requisitions for the disbursement of funds appropriated in this Section shall be approved by the respective division heads. *Provided, Further*, That the Civil Contingent Fund, appropriated in Item 1 of this Section, shall be expended only upon unanimous approval of the State Budget and Control Board, and upon warrant requisitions signed as directed by the State Budget and Control Board, to meet emergency and contingent expense of the State Government. *Provided, Further*, That none of the Civil Contingent Fund shall be used to increase the salary of any State employee when such salary is specifically fixed in this Act.

Provided, Further, That the State Auditor may engage independent accountants to audit any State department or institution when he may deem it advantageous or wise to do so. The expense of such audits and the cost of other necessary supplies and equipment may be paid from the appropriation herein made for special payments.

Provided, That notwithstanding the amount appropriated in Section 5 of this Section as "State Employer Contribution," the State Treasurer and Comptroller General are hereby authorized and directed to transfer from the General Fund of the State to the proper Retirement System Accounts, month by month, during the fiscal year 1962-63, such funds as are necessary to comply with the terms of the Retirement Act as amended, as to contributions by the State of South Carolina to the Retirement System.

Provided, Further, That each department, commission, agency, and /or instrumentality of the State of South Carolina, whose employees are covered by the South Carolina Retirement Act, and any part of whose administrative funds are derived from sources other than direct appropriations by the General Assembly, shall pay from such administrative funds a proportionate share of the State's contributions to the Retirement System Account.

Provided, Further, That the State Highway Department shall pay from Highway revenues that portion of the State's contribution to the Retirement System which is occasioned by the coverage of State Highway employees.

Provided, Further, That if any County or Municipality shall become 90 days delinquent in any payments due the Retirement System, the Retirement System shall certify such amount to the State Treasurer, and the State Treasurer is hereby directed to withhold from the next distribution of any revenue due such County or municipality, the amount so certified to him, and apply same to the Retirement System account of such County or municipality to cover such delinquency.

Provided, Further, That the appropriation for Section 2, Item 1 of this section shall be paid from revenues of the various Sinking Funds.

Provided, Further, That the appropriation for the operation of the Surplus Property item of this section shall be paid from funds received for the sale of such surplus property.

Provided, Further, That the State Budget and Control Board is authorized and empowered to employ special agents to examine insurance risks carried by the said Board, and to perform any other duties which may be required of them, and the cost of necessary supplies, equipment, and travel expenses of the special agents, shall be paid from the revenues of the Insurance Sinking Fund.

Provided, Further, That the State Board of Health is authorized to continue the employment of Dr. W. K. Fishburne, County Health Officer of the Berkeley County Health Unit, Dr. L. A. Hartzog, Health Officer of the Bamberg-Barnwell Health Unit, Dr. H. Grady Callison, Health Officer of the Anderson County Health Unit, and Dr. L. C. Stukes, Health Officer of the Clarendon County Health Unit, and the Board of Directors of the South Carolina Public Service Authority is authorized to continue the employment of the present general manager, notwithstanding the age requirement of the State Retirement System.

SECTION 46

Board of Health

Item 1. Administration:

Office of State Health Officer:

A. Personal Service:

A-1. *Salaries:*

State Health Officer	\$ 16,500.00
Asst. State Health Officer	10,000.00
Secretaries	9,606.00
Drug Inspector	8,034.00
State Supervising Nurse	6,973.00

B. Contractual Services:

B-2. Travel	4,200.00
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Personnel:

A. Personal Service:

A-1. *Salaries:*

Stenographer II	2,728.00
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Finance:

A. Personal Service:

A-1. *Salaries:*

Director	8,258.00
Accountant III	6,585.00
Stenographer III	3,865.00
Clerk II	2,728.00

Business Management:

A. Personal Service:

A-1. *Salaries:*

Clerk II	3,183.00
Clerk I	2,574.00
Telephone Operator	3,183.00
Porter	2,500.00
Messenger	2,274.00

Tabulating:

A. Personal Service:

A-1. *Salaries:*

Tabulating Machine Supervisor	7,079.00
Tabulating Operators II	12,641.00
Tabulating Operators I	5,638.00

Vital Statistics:

A. Personal Service:

A-1. *Salaries:*

Assistant State Registrar	8,180.00
Field Agent	6,631.00
Stenographers III	7,730.00
Stenographers II	6,480.00
Clerks III	7,253.00
Clerks II	37,195.00
Clerks I	25,327.00

B. Contractual Services:

B-2. Travel	2,500.00
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Public Health Education:

A. Personal Service:

A-1. *Salaries:*

Health Education Consultant	6,896.00
Visual Education Assistant	3,865.00
Vari-Typist	4,183.00

B. Contractual Services:

B-2. Travel	2,500.00
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Hospital Construction:

A. Personal Service:

A-1. *Salaries:*

Administrator	8,337.00
Secretary	4,093.00
Stenographer III	3,410.00
Stenographer II	2,728.00
Clerk III	3,183.00
Hospital Administrative Consultant	7,124.00
Architect	7,579.00
Construction Engineer	6,745.00
Hospital Inspectors	12,126.00
Accountant II	6,585.00

A-3. Special Payments:

Advisory Committee (Travel and Per Diem)	1,919.00
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B. Contractual Services:

B-2. Travel	7,140.00
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Merit System:**A. Personal Service:****A-1. Salaries:**

Merit System Supervisor (P. T.)	2,400.00
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Total (Item 1) Administration	\$ 310,658.00
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Item 2. Disease Control:**Office of Director:****A. Personal Service:****A-1. Salaries:**

Director	\$ 10,000.00
Chief—Cancer, Heart, TB Services	10,000.00
Chief—VD Services (Crippled Children, and Rheumatic Heart Disease)	10,000.00
Stenographer III	3,865.00
Clerk III	3,728.00
Consultant Nurse — Special Field	5,506.00
Veterinarian III (P. T.)	3,600.00

B. Contractual Services:

B-2. Travel	5,400.00
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Tuberculosis Control:**A. Personal Service:****A-1. Salaries:**

Record Analyst	3,979.00
Clerks III	7,048.00
Clerk II	2,910.00

Clinic Services (Tuberculosis):**A. Personal Service:****A-1. Salaries:**

Photofluorographic Operators ..	18,097.00
Clerks II	5,911.00

Venereal Disease Control:**A. Personal Service:****A-1. Salaries:**

Stenographer III	3,728.00
Clerk III	3,728.00
Clerk I	3,092.00

B. Contractual Services:	
B-2. Travel	1,200.00
Heart Disease Control:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Stenographer II	3,142.00
Clinic Services (Heart):	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Clerk II	2,910.00
P. H. Nurse I-A	3,638.00
Dietitian	4,547.00
A-3. Special Payments:	
Clinician's Fees	250.00
B. Contractual Services:	
B-2. Travel	2,500.00
Cancer Control:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Clerk III	3,728.00
Public Relations Rep.	4,823.00
B. Contractual Services:	
B-2. Travel	1,500.00
Clinic Services (Cancer):	
B-7. Other Contractual Services:	
Hospital Care	400,000.00
Epidemiology:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Insect, Rodent Control Super-	
visor I	8,186.00
Medical Entomologist III	7,200.00
Medical Entomologist II	5,863.00
B. Contractual Services:	
B-2. Travel	5,400.00
Laboratory:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Director	10,000.00
Secretary	4,626.00

Bacteriologists III	12,741.00	
Bacteriologists II	15,314.00	
Bacteriologist I	4,812.00	
Clerks II	6,184.00	
Clerks I	2,819.00	
Virologist	4,540.00	
Laboratory Technicians II	15,505.00	
Laboratory Technicians I	12,914.00	
Laboratory Helpers	4,840.00	
B. Contractual Services:		
B-2. Travel	400.00	
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Total Item 2 (Disease Control) ...		\$ 650,174.00
Item 3. Dental Health:		
Office of Director:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 10,000.00	
Stenographer III	3,646.00	
B. Contractual Services:		
B-2. Travel	4,000.00	
<hr/>		
Total Item 3 (Dental Health)		\$ 17,646.00
Item 4. Local Health Supervision:		
Officer of Director:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Stenographer III		\$ 3,865.00
Item 5. Sanitary Engineering:		
A. Personal Service:		
A-1. <i>Salaries:</i> ..		
Director (P. T.)	\$ 6,028.00	
Assistant Director	8,681.00	
Stenographer III	3,865.00	
Sanitary Engineers IV	8,109.00	
Sanitary Engineer III	6,036.00	
Sanitation Consultants	22,880.00	

Bedding Inspectors	11,672.00	
Consultant Sanitary Engineer..	8,415.00	
<hr/>		
Total (Item 5) Sanitary Engineer- ing		\$ 75,686.00
Item 6. Maternal and Child Health:		
Office of Director:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 10,000.00	
Stenographer III	4,093.00	
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Total (Item 6) Maternal and Child Health		\$ 14,093.00
Item 7. Crippled Children:		
Crippled Children:		
Convalescent Home	\$ 75,000.00	
Hospital Care	60,000.00	
Orthopedic Camps	25,000.00	
Speech Therapy:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Speech Therapists (PT)	4,500.00	
B. Contractual Services:		
B-7. Other Contractual Services:		
Hospital Care	8,000.00	
Clinic Services (Rheumatic Fever):		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Clerk II	2,910.00	
P. H. Nurse IV	5,305.00	
Pediatricians (PT)	1,800.00	
Cardiologists (PT)	600.00	
B. Contractual Services:		
B-2. Travel	1,000.00	
<hr/>		
Total Item 7 (Crippled Children) .		\$ 184,115.00

Item 8. Executive Committee:

A. Personal Service:

A-3. Special Payments:

Travel and Per Diem of Executive Committee	\$ 2,650.00
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Item 9. Other Expenditures:

B. Contractual Services:

B-1. Freight, Express and Deliveries	\$ 400.00
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B-3. Telegraph and Telephone ..	2,800.00
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B-4. Repairs	4,000.00
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B-5. Printing and Advertising ..	4,000.00
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B-7. Other Contractual Services ..	600.00
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C. Supplies:

C-4. Office Supplies	32,000.00
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C-10. Clothing and Dry Goods ..	300.00
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D. Fixed Charges and Contributions:

D-1. Rents (Office and Laboratory Space)	30,577.00
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Rents (Equipment)	16,620.00
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D-2. Insurance	3,300.00
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G. Equipment:

G-1. Office Equipment	2,000.00
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G-8. Laboratory Equipment and Supplies	5,000.00
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Special Services (Counties):

Biologics	25,000.00
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Antirabic Vaccine	6,000.00
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VD Drugs	5,000.00
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VD Control	2,400.00
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Insect Control Program	105,000.00
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Anti-Polio Vaccine	75,000.00
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For Patrolling Coastal Shell Fish Areas	25,000.00
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Total Item 9 (Other Expenditures) ..	\$ 344,997.00
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For Salary and Wage Adjustments—(Central Administration)	\$ 25,196.00
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Total (Central Administration) ...	\$ 1,629,080.00
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Item 10. Aid to County Health Units.	\$ 1,287,089.00
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TOTAL (State Board of Health) . . .	\$ 2,916,169.00
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Provided, further, that State funds herein provided for aid to county health departments shall be distributed on a basis approved by the Executive Committee of the State Board of Health so that no county shall receive less State funds than for the fiscal year 1961-1962.

Provided, further, that Federal funds made available to the State Board of Health, that can be allotted to the counties of the State for operation of county health units, shall be distributed among the counties of the State on a basis approved by the Executive Committee of the State Board of Health so that no county shall receive more Federal funds until each county has received an amount equal to those amounts made available for the fiscal year 1961-62.

Provided, Further, That both State and Federal Funds allotted to any County Health Department shall be withheld from such county until a sum equal to twenty (20¢) cents per capita for the county's population, according to the 1950 Federal Census, shall have been provided by such county for use by its County Health Department in carrying on proper health programs to be agreed upon by the County Legislative Delegation and the State Board of Health. *Provided, However,* That if it is found that in any county a suitable health unit can be operated at less cost than is provided herein by the prescribed distribution of State and Federal Funds and the amount of twenty (20¢) cents per capita from local funds, County and State funds for the support of such unit shall be reduced in the same ratio.

Provided, Further, That the allocation of all Federal funds made available to the State Board of Health, including the allocation of such funds among the counties of the State for County and District Health Work, shall be approved by the State Budget and Control Board.

Provided, Further, That any unused State and/or Federal Funds, allocated and budgeted to a county, shall, subject to the approval of the Senator and a majority of the House Members of such county, be made available to the State Board of Health for redistribution on the basis of need as determined by the State Board of Health.

Provided, Further, That from funds available for the operation of Cancer Clinics, a clinic shall be maintained and operated at Self Memorial Hospital at Greenwood.

Provided, Further, That out of the appropriation provided in Item 10 of this section for State Aid to County Health Units, the sum of \$25,000.00 shall be distributed to the county health departments by the State Health Officer, with the approval of the Executive Committee of the State Board of Health, for the following purposes:

1. To insure the provision of a reasonably adequate public health program in each county.

2. To provide funds to combat special health problems that may exist in certain counties.

3. To establish and maintain demonstration projects in improved public health methods in one or more counties in the promotion of better public health service throughout the State.

4. To encourage and promote local participation in financial support of the county health departments.

5. To meet emergency situations which may arise in local areas.

6. To fit funds available to amounts budgeted when small differences occur.

Provided, Further, That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are below existing salaries for comparable services in other state agencies and institutions.

Provided, That funds appropriated herein for salaries and wage adjustments shall be distributed among all employees of this department without regard to the source of funds from which each is paid.

SECTION 47

Water Pollution Control Authority

For Administration:

A. Personal Service:

A-1. *Salaries:*

Executive Director (P.T.) . . . \$	4,550.00
Water Pollution Control Engineers II	11,507.00
Chemists	5,419.00
Assistant Director	9,049.00
Secretary	4,132.00
Laboratory Technician	4,302.00
Water Sample Takers	10,754.00
Clerks II	6,992.00

Radiological—Industrial Engineer	8,559.00	
A-3. Special Payments:		
Travel and Per Diem of Board Members	1,750.00	
Special Fees	500.00	
B. Contractual Services:		
B-2. Travel	7,200.00	
B-3. Telegraph and Telephone ..	500.00	
B-4. Repairs	600.00	
B-6. Water, Heat, Light and Power	500.00	
B-7. Hearings	350.00	
C. Supplies:		
C-4. Office Supplies	500.00	
C-8. Motor Vehicle Supplies ...	1,500.00	
C-11. Laboratory Supplies	1,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	400.00	
D-2. Insurance	480.00	
D-3. Cooperative Agreement—U. S. Geological Survey ..	5,000.00	
G. Equipment:		
G-1. Office Equipment	500.00	
G-4. Motor Vehicles and Equipment	800.00	
G-8. Laboratory Equipment	1,000.00	
TOTAL (Water Pollution Control Authority		\$ 87,844.00

SECTION 48

State Dairy Commission

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 8,000.00
Auditors	31,376.00
Inspector	5,512.00
Secretaries	6,996.00

A-3. Special Payments:	
Per Diem for Commissioners (8)	1,000.00
For Salary and Wage Adjust- ments	4,388.00
B. Contractual Services:	
B-2. Travel	15,000.00
B-3. Telegraph and Telephone...	1,500.00
B-4. Repairs	350.00
C. Supplies:	
C-4. Office Supplies	2,000.00
D. Fixed Charges and Contributions:	
D-2. Insurance	50.00
<hr/>	
TOTAL (State Dairy Commission) ..	\$ 76,172.00

SECTION 49

State Tax Commission

Item 1. Administrative Division:

A. Personal Service:

A-1. *Salaries:*

Commissioners	\$ 52,500.00
Supplemental Salary—Chairman	2,050.00
Executive Secretary	10,000.00
Administrative Assistants	24,200.00
Clerks	48,085.00
Service Clerks	71,970.00
Secretaries	36,616.00
Telephone Operators	9,540.00
Warrant Officers	96,814.86
Assessment Supervisors	27,400.00

A-2. *Wages:*

Janitor	780.00
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Total (Item 1) Administrative Di- vision	\$ 379,955.86
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Item 2. Inheritance Tax Division

A. Personal Service:

A-1. *Salaries:*

Director	\$ 8,800.00
Steno-Clerks	6,100.00
Auditors	21,160.00

Total (Item 2) Inheritance Tax Division	\$ 36,060.00
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Item 3. Property Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 8,800.00
Clerks	24,340.00
Field Agents	39,866.00

Total (Item 3) Property Tax Division	\$ 73,006.00
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Item 4. Income Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,200.00
Secretaries	25,600.00
Clerks	207,936.00
Auditors	368,665.00

Total (Item 4) Income Tax Division	\$ 611,401.00
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Item 5. License Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,000.00
Secretaries	11,300.00
Clerks	48,032.00
Auditors	73,695.00
Field Agents	81,456.00

Total (Item 5) License Tax Division	\$ 223,483.00
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Item 6. Beer and Wine and Alcoholic
Liquors Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,000.00
Hearing Officer	6,000.00
Secretaries	11,089.00
Clerks	28,928.00
Examiners	9,839.00
Investigators	64,774.00

Total (Item 6) Beer and Wine and
Alcoholic Liquors Division \$ 129,630.00

Item 7. Sales Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,200.00
Secretaries	52,120.00
Clerks	160,000.00
Auditors	552,163.00
Temporary Help	2,932.00

Total (Item 7) Sales Tax Division \$ 776,415.00

Item 8. Data Processing Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,800.00
Systems Analysis Unit	27,054.00
Accounting Unit	57,274.00
Machine Operators	137,157.00

Total (Item 8) Data Processing Di-
vision \$ 231,285.00

For Salary and Wage Adjust-
ments \$ 183,945.00

Item 9. General Operating:

B. Contractual Services:

B-1. Freight, Express and De- liveries	\$ 6,500.00
B-2. Travel	450,000.00

B-3. Telegraph and Telephone ..	16,850.00
B-4. Repairs	20,000.00
B-5. Printing, Binding and Advertising	3,500.00
B-6. Water, Heat, Light and Power	1,525.00
C. Supplies:	
C-4. Office Supplies and Stamps.	260,000.00
C-8. Motor Vehicle Supplies ...	7,500.00
D. Fixed Charges and Contributions:	
D-1. Rents:	
Machine Rental	150,000.00
District Office	21,826.56
Post Office Box	96.00.
D-2. Insurance — Premium on Bonds	8,000.00
D-3. Contributions	1,140.00
G. Equipment:	
G-1. Office Equipment	30,000.00
G-4. Motor Vehicles and Equipment	8,000.00
For Codifying Commission Regulations and Decisions	5,000.00
Property Assessment Manuals	16,800.00
<hr/>	
Total (Item 8) General Operating.	\$ 1,006,737.56
<hr/>	
TOTAL (State Tax Commission) ..	\$ 3,651,918.42

Provided, That the Tax Commission is hereby authorized to purchase Revenue stamps and to draw warrants for the payment thereof against the revenue account for which they were purchased.

Provided, Further, That the cost of law enforcement with respect to alcoholic liquors in the Governor's Office and the cost of the administration of the Alcoholic Liquors Division of the Tax Commission shall be deducted from the total revenues from alcoholic liquors before distribution of such revenues to the counties and municipalities of the State.

Provided, Further, That the Tax Commission, with the approval of the Budget and Control Board, is authorized to expend from the revenue collected under the provisions of Act 654, Acts of 1956, such additional money as is necessary to the adequate administration and enforcement of the said Act.

SECTION 50**Insurance Department****Executive Control of Insurance:****A. Personal Service:****A-1. Salaries:****Administration:**

Chief Insurance Commissioner \$	14,000.00
Chief Deputy Insurance Commissioner	10,500.00
Deputy Ins. Commissioner— Technical	10,500.00
Deputy Ins. Commissioner— Administrative	10,500.00
General Counsel	10,000.00
Assistant General Counsel	6,000.00
Executive Secretary	5,000.00
Legal Secretary	4,000.00
Directors	62,000.00
Actuary—Examiners	15,000.00
Analysts	55,400.00
Auditors	18,000.00
Bookkeepers	8,950.00
Clerks	48,990.00
Coordinators	13,000.00
Examiners	88,000.00
Investigators	50,400.00
Secretaries	24,000.00
Statisticians	32,000.00
Stenographers	28,800.00
Extra Clerical Help	1,700.00

LP Gas and Fire Marshal Division:

Director	7,000.00
LP Gas Inspectors	28,000.00
Deputy State Fire Marshals ..	35,000.00
Steno-Clerk	3,800.00

A-3. Special Payments

For Salary and Wage Adjust- ments	17,814.00
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General Operating:**B. Contractual Services:**

B-2. Travel	64,500.00
B-3. Telegraph and Telephone ..	6,000.00
B-4. Repairs	5,000.00
B-7. Other Contractual Services .	3,000.00

C. Supplies:

C-4. Office Supplies	23,000.00
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D. Fixed Charges and Contributions:

D-1. Rents	31,500.00
D-2. Insurance	3,850.00
D-3. Contributions	1,517.50

G. Equipment:

G-1. Office Equipment	20,000.00
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TOTAL (Insurance Commissioner's
Office)

\$ 769,421.50

SECTION 51**Contractors' Licensing Board****For Administration:****A. Personal Service:****A-1. Salaries:**

Secretary-Treasurer	\$ 5,088.00
Assistant Secretary	3,498.00
Field Representative	5,088.00
Steno-Clerk	2,332.00

A-3. Special Payments:

Per Diem Board Members ...	500.00
Examinations	2,500.00
For Salary and Wage Adjust- ments	1,601.00

B. Contractual Services:

B-2. Travel	4,500.00
B-3. Telegraph and Telephone ..	750.00
B-4. Repairs	100.00
B-5. Printing and Advertising ..	100.00

C. Supplies:

C-4. Office Supplies	3,500.00
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D. Fixed Charges and Contributions:	
D-1. Rent	1,800.00
D-2. Bond Premium and Insurance	40.00
G. Equipment:	
G-1. Office Equipment	200.00
<hr/>	
TOTAL (Contractors' Licensing Board)	\$ 31,597.00

SECTION 52

State Service Bureau

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

State Service Officer	\$ 7,074.00
Asst. State Service Officer	6,440.00
Senior Field Investigator	5,809.00
Junior Field Investigator	5,088.00
Secretary	3,816.00
Senior Stenographer	3,169.00
For Salary and Wage Adjustments	3,140.00

B. Contractual Services:

B-2. Travel	1,500.00
B-3. Telegraph and Telephone ..	900.00
B-4. Repairs	100.00

C. Supplies:

C-4. Office Supplies	800.00
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D. Fixed Charges and Contributions:

D-1. Association Dues	100.00
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G. Equipment:

G-1. Office Equipment	550.00
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Total (Item 1) For Administration	\$ 38,486.00
Item 2. Operation of County Offices	\$ 242,034.00

Item 3. Veterans' Administration**Personnel:****A. Personal Service:****A-1. Salaries:**

Service Officer, VFW	\$ 4,000.00
Secretary, Service Officer VFW	2,000.00
Service Officers, DAV	5,880.00
Service Officer, The American Legion	4,800.00
Secretary, Service Officer, American Legion	960.00

Total (Item 3) Veterans' Administration Personnel \$ 17,640.00

TOTAL (State Service Bureau) \$ 298,160.00

Provided, That for the fiscal year 1962-63, the amount appropriated in Item 2 of this section shall be distributed among the counties of the state as follows: The sum of Three Hundred (\$300.00) Dollars shall be first allocated to each county of the State, and the remainder shall be distributed among the counties in the same proportion as provided in the original statute.

SECTION 53**Department of Agriculture****Item 1. Superintendence and Administration:****A. Personal Service:****A-1. Salaries:**

Commissioner	\$ 13,000.00
Deputy Commissioner	8,200.00
Assistant to Commissioner	7,500.00
Finance Officer	6,000.00
Agriculturist	6,000.00
Secretary	4,800.00
Clerk-Typist	3,816.00
Editor-Market Bulletin	4,200.00

Clerks	10,700.00	
Stenographer	2,730.00	
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Total (Item 1) Superintendence and Administration		\$ 66,946.00
Item 1-A. Pure Food and Drug:		
A. Personal Service, Materials, Supplies and Equipment		\$ 50,000.00
Item 2. Chemical Laboratory:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Director	\$ 8,200.00	
Chief Chemist	7,500.00	
Secretary	4,200.00	
Stenographer	3,000.00	
Chemists	27,595.00	
Chief Seed Analyst	6,000.00	
Seed Analysts	19,732.00	
Seed Technicians	27,240.00	
Laboratory Technician	3,400.00	
A-2. Wages:		
Porter	2,000.00	
<hr/>		
Total (Item 2) Chemical Laboratory		\$ 108,867.00
Item 3. Bureau of Inspection:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Director	\$ 7,500.00	
Secretary	4,000.00	
Secretary	3,600.00	
Seed, Feed, Oil and Scales:		
Inspectors	92,660.00	
Audit Clerk	4,770.00	
Auditors	16,000.00	
Stenographers	5,500.00	
Caretaker (Calibration Station)	636.00	
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Total (Item 3) Bureau of Inspection		\$ 134,666.00

Item 4. Warehouse Division:**A. Personal Service:****A-1. Salaries:**

Director	\$ 7,500.00
Secretary	3,945.00
Chief Bookkeeper	6,000.00
Audit Clerks	14,249.00
Warehouse Auditors	34,272.00
Clerk	4,100.00

A-3. Special Payments:

Extra Help	1,300.00
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Total (Item 4) Warehouse Division **\$ 71,366.00**

Item 5. Egg Law Enforcement:**A. Personal Service:****A-1. Salaries:**

Inspectors	\$ 11,460.00
For Salary and Wage Adjust- ments	37,620.00

Item 6. General Operating:**B. Contractual Services:**

B-1. Freight, Express and De- liveries	4,000.00
B-2. Travel	70,000.00
B-3. Telephone and Telegraph ..	4,000.00
B-4. Repairs	7,500.00
B-5. Printing and Advertising:	
Market Bulletin and Expense ..	55,000.00
Agricultural Statistics	1,500.00
B-6. Water, Heat, Light and Power	500.00

C. Supplies:

C-4. Office Supplies	30,000.00
C-7. Educational Supplies	200.00
C-8. Motor Vehicle Supplies	500.00
C-11. Other Supplies	7,500.00

D. Fixed Charges and Contributions:

D-1. Rents	2,436.00
D-2. Insurance	2,500.00
D-3. Association Dues	200.00
State Fair Exhibit	400.00

G. Equipment :	
G-1. Office Equipment	1,500.00
G-4. Motor Vehicles and Equip- ment	5,000.00
G-8. Other Equipment	5,000.00
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Total (Item 6) General Operating .	\$ 197,736.00
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TOTAL (Department of Agriculture)	\$ 678,661.00

SECTION 54

State Agricultural Marketing Commission

Item 1. For Administration :

A. Personal Service :

A-1. *Salaries:*

Marketing Director	\$ 4,920.00
Market Coordinator	5,684.00
Secretary	3,182.00
For Salary and Wage Adjust- ments	1,378.00

A-3. Special Payments:

Per Diem of Members	250.00
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B. Contractual Services:

B-2. Travel	3,000.00
B-3. Telegraph and Telephone ..	300.00
B-4. Repairs	50.00
B-5. Printing and Advertising ..	100.00

C. Supplies:

C-4. Office Supplies	145.00
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D. Fixed Charges and Contributions:

D-3. Contributions	20.00
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G. Equipment:

G-1. Office Equipment	200.00
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Total (Item 1) For Administration	\$ 19,229.00
Item 2. Farm Market Facilities, Sur- veys and Service	\$ 30,000.00
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TOTAL (State Agricultural Marketing Commission)	\$ 49,229.00

SECTION 55

· · State Forestry Commission

Item 1. Division of Forestry:

Personal Service	\$ 1,068,445.00
Contractual Services	122,605.00
Supplies	121,955.00
Fixed Charges	29,333.00
Equipment	100,000.00
Nurseries and States Forests ..	493,135.64

Total (Division of Forestry)	\$ 1,935,473.64
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Item 2. Division of State Parks:

Personal Service	\$ 291,700.00
Contractual Services	29,850.00
Supplies	53,468.00
Fixed Charges	17,350.00
Equipment	18,378.00

Total (Division of State Parks) ..	\$ 410,746.00
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Item 3. Historical Areas:

Personal Service	\$ 5,447.00
Contractual Services	2,215.00
Supplies	6,450.00
Fixed Charges	200.00
Equipment	3,449.00

Total (Historical Areas)	\$ 17,761.00
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TOTAL (State Forestry Commission)	\$ 2,363,980.64
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Provided, That for reforestation purposes on State Forest lands, the State Forestry Commission is authorized to rent newly cleared lands for agricultural purposes, and to use the State's portion of the rent received therefrom for clearing additional lands, and, pending expenditures, such funds shall be held in a special account in the State Treasury.

Provided, Further, That the State Forestry Commission may refund deposits placed with the Commission with orders for tree seedlings and for park cabin reservations.

Provided, Further, That all net revenues derived from the operation of the fishing pier at the Myrtle Beach State Park shall be used for improvements at the said park.

Provided, Further, That the State Forestry Commission is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place, when their headquarters are so moved in the course of the business of the department.

Provided, Further, That during the summer the Commission shall, upon request cut fire lanes for private persons and charge for the same at the rate of \$30.00 per suppression unit per day.

SECTION 56

Clemson Agricultural College (Public Service Activities)

Item 1.	Agricultural Research	\$ 986,063.00
Item 2.	Fertilizer Inspection and Analysis	94,246.00
Item 3.	Extension Division	1,175,000.00
Item 4.	Livestock and Poultry Health Department	307,655.00
Item 5.	Camp Bob Cooper	2,400.00
Item 6.	Camp Long	2,400.00
Item 7.	Camp Harry Daniel	2,400.00

TOTAL (Clemson Agricultural College—Public Service Activities)	\$ 2,570,164.00
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Provided, That the Agricultural Research Division of Clemson College shall remit to the State Treasurer all revenues, including funds derived from the sale of farm products, for credit to a special account in the State Treasury for Agricultural Research Work, and that such funds may be withdrawn from the State Treasury, as needed, for the use of the Agricultural Research Division.

Provided, Further, That out of the appropriation provided in this section for Agricultural Research the sum of \$20,000, if so much be necessary, shall be used for research related to forest pests and the control of same, and whatever amount is deemed necessary shall be used in Poultry Research.

Provided, Further, That a Poultry Pathologist may be employed out of funds provided in Item 4 of this section.

SECTION 57

State Soil Conservation Committee

For Administration:

A. Personal Service:

A-1. Salaries:

Executive Secretary	\$ 7,950.00
Clerk-Stenographer	2,968.00

A-3. Special Payments:

Per Diem:

Members State Committee ..	600.00
Clerical Help	200.00
For Salary and Wage Adjust- ments	1,092.00

B. Contractual Services:

B-2. Travel	13,500.00
B-3. Telegraph and Telephone ..	600.00
B-5. Printing and Advertising ..	500.00
B-7. Soil Survey Agreement ...	35,000.00

C. Supplies:

C-4. Office Supplies	700.00
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D. Fixed Charges and Contributions:

D-1. Rent	1,200.00
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G. Equipment:

G-1. Office Equipment	300.00
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TOTAL (State Soil Conservation	
Committee)	\$ 64,610.00

SECTION 58

Department of Labor

Item 1. For Administration:

Office of the Commissioner:

A. Personal Service:

A-1. Salaries:

Commissioner	\$ 10,500.00
Investigation Supervisor	5,247.00
Secretary to Commissioner	3,638.00
Bookkeeper	3,638.00
Senior Conciliator	5,559.00

Junior Conciliator	5,052.00	
Junior Conciliator	4,897.00	
Division of Inspection:		
Director of Inspection and Deputy Commissioner	6,000.00	
Secretary to Director	3,638.00	
Clerks (2)	5,512.00	
Inspectors	52,142.50	
Division of Standards and Statistics:		
Director of Standards and Statistics	5,305.00	
Secretary to Director	2,728.00	
Statistician	3,638.00	
Clerks (2)	5,262.00	
A-3. Special Payments:		
Clerical Help	300.00	
For Salary and Wage Adjustments	11,083.00	
B. Contractual Services:		
B-2. Travel	32,000.00	
B-3. Telephone and Telegraph ..	1,200.00	
B-4. Repairs	500.00	
B-5. Printing and Advertising ..	660.00	
C. Supplies:		
C-4. Office Supplies	3,000.00	
C-8. Motor Vehicle Supplies	540.00	
C-11. Other Supplies	100.00	
D. Fixed Charges and Contributions:		
D-1. Rents	76.00	
D-2. Insurance	100.00	
D-3. Contributions:		
Association Dues	75.00	
Fair Exhibits	400.00	
G. Equipment:		
G-1. Office Equipment	350.00	
Total Item 1 (For Administration) .		\$ 173,140.50

Item 2. Division of Safety:

A. Personal Service:

A-1. *Salaries:*

Safety Director	\$ 5,305.00
Safety Engineers	14,230.50
Secretary	3,412.00
For Salary and Wage Adjust- ments	2,295.00

Total Item 2 (Division of Safety) ..	\$ 25,242.50
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TOTAL (Department of Labor)	\$ 198,383.00
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SECTION 59

South Carolina Employment Security Commission

The salaries of the South Carolina Employment Security Commissioners are hereby fixed at Seven Thousand Nine Hundred and Twenty (\$7,920.00) Dollars each.

SECTION 60

South Carolina Industrial Commission

Item 1. Administration:

A. Personal Service:

A-1. *Salaries:*

Administrative:

Commissioners (5)	\$ 52,500.00
Administrative Assistant ...	7,375.00
Secretaries (5)	16,520.00
Reporters (5)	24,630.00
Secretary	3,910.00
Senior Stenographer	3,304.00
Bookkeeper	4,198.00

Coverage:

Secretary	3,134.00
Senior Stenographer	2,759.00
Senior Clerk	3,183.00
Senior Clerk	2,759.00

Claims :	
Claims Examiner	6,360.00
Assistant Claims Examiner	5,500.00
Senior Stenographer	3,498.00
Senior Clerk	2,759.00
Senior Clerk	2,343.00
Clerical :	
Senior Clerks (2)	6,608.00
Junior Clerk	2,759.00
Junior Clerk	2,592.00
Clerk-Typist	2,343.00
Medical :	
Medical Consultant	2,304.00
Senior Stenographer	3,304.00
Safety :	
Senior Safety Engineer	5,368.00
Junior Safety Engineer	4,430.00
Statistical :	
Supervisor of Statistics and Claims	5,088.00
Statistician	3,486.00
Assistant Statistician	3,274.00
Machine Operator	2,940.00
State Fund :	
Director	7,311.00
Claims Investigator	4,801.00
Claims Investigator	4,028.00
Senior Stenographer	3,304.00
Senior Stenographer	3,304.00
Senior Clerk	2,759.00
Senior Payroll Auditor	4,801.00
Junior Payroll Auditor	4,134.00
Investigator-Auditor	4,700.00
Other Services :	
Mail Clerk	2,759.00
Switchboard Operator	2,577.00
A-3. Special Payments :	
Clerical Help	4,200.00
For Salary and Wage Adjust- ments	23,271.00

B. Contractual Services:	
B-2. Travel	19,500.00
B-3. Telegraph and Telephone ..	3,300.00
B-4. Repairs	1,400.00
B-5. Printing and Advertising ..	1,000.00
C. Supplies:	
C-4. Office Supplies	16,000.00
C-8. Motor Vehicle Supplies	5,000.00
D. Fixed Charges and Contributions:	
D-1. Rents	6,000.00
D-2. Insurance, Workmen's Comp. and Bonds	1,000.00
D-3. Contributions	300.00
G. Equipment:	
G-1. Office Equipment	2,800.00
G-4. Motor Vehicles and Equip- ment	4,000.00
<hr/>	
TOTAL (S. C. Industrial Commis- sion)	\$ 321,477.00

SECTION 61

Wildlife Resources Department

Item 1. Administrative Division:

A. Personal Service:

A-1. *Salaries:*

Commissioners	\$ 700.00
Administrative Assistant	7,208.00
Information Assistant	4,725.00
Chief of Education	5,830.00
Secretaries (2)	8,216.00

A-3. Special Payments:

Clerical Help	1,500.00
Hearing Fees	750.00
For Salary and Wage Adjust- ments	2,597.90

B. Contractual Services:

B-2. Travel	4,000.00
B-3. Telegraph and Telephone ..	800.00
B-4. Repairs	700.00

B-5. Printing and Advertising ..	9,500.00
B-7. Other Contractual Services.	200.00
C. Supplies:	
C-4. Office Supplies	1,800.00
C-7. Educational Supplies	2,750.00
C-8. Motor Vehicle Supplies ...	1,750.00
D. Fixed Charges and Contributions:	
D-2. Insurance	350.00
D-3. Contributions and Dues ...	250.00
D-4. Other Fixed Charges—Surveys	250.00
D-5. Exhibits	1,000.00
G. Equipment:	
G-1. Office Equipment	750.00
G-4. Motor Vehicle Equipment ..	2,500.00
G-7. Educational Equipment ...	2,000.00

Total (Item 1) Administrative \$ 60,126.90

Item 2. Division of Game:

A. Personal Service:

A-1. Salaries:

Director (Chief Game Warden) \$	8,580.00
Chief Clerk	5,500.00
Secretary-License Clerk	3,964.50
Deputy Chief Clerk	4,547.50
Clerk-Bookkeeper	3,630.00
Senior Stenographer	3,790.00
Senior Stenographer	3,790.00

A-2. Wages	2,275.00
Extra Clerical Help	1,200.00
For Salary and Wage Adjustments	2,894.00

B. Contractual Services:

B-1. Freight, Express and Deliveries	150.00
B-2. Travel	3,000.00
B-3. Telegraph and Telephone ..	1,000.00
B-4. Repairs	750.00
B-5. Printing and Advertising ..	250.00
B-7. Other Contractual Services	400.00

C. Supplies:	
C-4. Office Supplies	2,250.00
C-12. Other Supplies (Licenses Forms, Etc.)	6,000.00
D. Fixed Charges and Contributions:	
D-2. Insurance and Bonds	500.00
G. Equipment:	
G-1. Office Equipment	350.00
<hr/>	
Total (Item 2) Division of Game ..	\$ 54,821.00
Item 3. Division of Commercial Fisheries:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Auditor	\$ 5,088.00
Secretary and Bookkeeper	4,130.00
District Inspectors	33,156.00
Stenographer	2,928.00
A-2. Wages	418.00
A-3. Special Payments:	
Clerical Help	500.00
Operation Patrol Boats and Airplane Hire	2,700.00
Legal Services	200.00
Oyster and Clam Culture	400.00
For Salary and Wage Adjust- ments	4,291.00
B. Contractual Services:	
B-2. Travel	20,000.00
B-3. Telegraph and Telephone ..	1,200.00
B-4. Repairs	1,500.00
B-5. Printing and Advertising ..	25.00
B-6. Water, Heat, Light and Power	300.00
B-7. Other Contractual Services ..	50.00
C. Supplies:	
C-1. Food Supplies	75.00
C-4. Office Supplies	2,000.00
C-5. Household, Laundry, Jani- torial	50.00
C-6. Medical Supplies	10.00

C-8. Motor Vehicle Supplies . . .	4,600.00	
C-10. Clothing and Dry Goods . .	400.00	
C-11. Maintenance Supplies . . .	750.00	
D. Fixed Charges and Contributions:		
D-1. Rents	822.00	
D-2. Insurance	650.00	
G. Equipment:		
G-1. Office Equipment	450.00	
G-4. Motor Vehicle Equipment . .	7,000.00	
<hr/>		
Total (Item 3) Division of Com- mercial Fisheries		\$ 93,693.00
Item 4. Bears Bluff Laboratories:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 10,600.00	
Research Assistants (2)	10,642.00	
Maintenance Supervisor	3,900.00	
Secretary-Bookkeeper	3,816.00	
Stenographer	3,000.00	
A-2. Wages	2,700.00	
A-3. Special Payments	500.00	
Shrimp Survey	12,000.00	
For Salary Adjustments	2,912.00	
B. Contractual Services:		
B-2. Travel	350.00	
B-3. Telegraph and Telephone . .	600.00	
B-4. Repairs	350.00	
B-5. Printing and Advertising . .	400.00	
B-6. Water, Heat, Light and Power	360.00	
B-7. Other Services	25.00	
C. Supplies:		
C-1. Food Supplies	75.00	
C-2. Fuel Supplies	400.00	
C-4. Office Supplies	350.00	
C-5. Household, Laundry and Janitorial Supplies	100.00	
C-6. Medical Supplies	10.00	
C-8. Motor Vehicle Supplies	700.00	

C-11. Maintenance Supplies	1,000.00
C-12. Other Supplies	200.00
D. Fixed Charges and Contributions:	
D-2. Insurance	400.00
G. Equipment:	
G-1. Office Equipment	300.00
G-3. Household Equipment	100.00
G-8. Other Equipment	300.00
<hr/>	
Total (Item 4) Bears Bluff Labora- tories	\$ 56,090.00
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TOTAL (Wildlife Resources Depart- ment)	\$ 264,730.90

Provided, That the total amount of appropriations made in items one and two of this section shall be transferred from the revenues of this department to the general fund of the State for payment of the appropriations made in said items.

Provided, Further, That all revenues derived from the operation of the Commercial Fisheries Division of this Department shall be deposited in the General Fund of the State.

Provided, Further, That no funds belonging to the counties of the State, now on hand or hereafter accruing to the counties, shall be expended except on approval of a majority of the respective county delegations, including the Senator.

Provided, Further, That no transfer of funds shall be permitted by the State Budget and Control Board from the game and fish revenues to supplement or increase the appropriations provided in this section, it being the intent of the General Assembly that the remainder of the game and fish revenues shall be expended only for the actual protection and propagation of game and fish in the State.

Provided, Further, That any member of the armed forces of the United States, on active duty, who is on furlough or leave, shall, upon presentation of his official furlough or leave papers, be allowed to fish or hunt without purchasing a fishing or hunting license, or permit.

SECTION 62

Board of Bank Control

Item 1. Board of Bank Control:

A. Personal Service:

A-1. *Salaries:*

Secretary \$ 4,770.00

A-3. Special Payments:

Per Diem of Board 550.00

Official Expense Allowance —

Chairman 636.00

For Salary and Wage Adjust-

ments 15,109.00

B. Contractual Services:

B-2. Travel 1,000.00

D. Fixed Charges and Contributions:

D-1. Rent 906.00

Total (Item 1) Board of Bank Con-
trol

\$ 22,971.00

Item 2. Examining Division:

A. Personal Service:

A-1. *Salaries:*

Chief Bank Examiner\$ 10,600.00

Assistant Chief Bank Examiner 7,950.00

Assistant Examiners 61,740.00

Secretary 4,710.00

Stenographer 4,244.00

Stenographer 3,971.00

Stenographer 3,900.00

B. Contractual Services:

B-2. Travel 36,000.00

B-3. Telegraph and Telephone .. 1,200.00

B-4. Repairs 400.00

B-5. Printing and Advertising .. 50.00

B-7. Other Contractual Services. 1,200.00

C. Supplies:

C-4. Office Supplies 1,550.00

D. Fixed Charges and Contributions:

D-1. Rents 18.00

D-2. Insurance 137.50

D-3. Contributions 235.00

G. Equipment:		
G-1. Office Equipment	1,000.00	
<hr/>		
Total (Item 2) Examining Division		\$ 138,905.50
Item 3. Small Loan Division:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 9,540.00	
Assistant Director	7,950.00	
Examiners	28,090.00	
Secretary	4,664.00	
A-3. Special Payments:		
Per Diem of Board	500.00	
Official Expense Allowance—		
Chairman	1,590.00	
Secretary of Board	636.00	
Hearing Fees	1,000.00	
B. Contractual Services:		
B-2. Travel	28,000.00	
B-3. Telegraph and Telephone ..	600.00	
B-4. Repairs	350.00	
C. Supplies:		
C-4. Office Supplies	2,500.00	
D. Fixed Charges and Contributions:		
D-1. Rents	1,746.00	
D-2. Insurance	137.50	
D-3. Contributions	100.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
<hr/>		
Total (Item 3) Small Loan Division		\$ 88,403.50
<hr/>		
TOTAL (Board of Bank Control) ..		\$ 250,280.00

Provided, That the Board of Bank Control shall fix the examination fees of banks, depositories, and building and loan associations on a scale which will yield sufficient revenue to defray the entire expenses of one examination per year for each bank, depository, and building and loan association.

SECTION 63

Public Service Commission

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

Chairman	\$ 8,395.00
Commissioners (6)	48,972.00
Executive Secretary	7,000.00
Asst. Secretary	4,650.00
Director of Rate Bureau	8,590.00
Office Assistant	4,790.00
Director, Telephone, Gas and Water	6,500.00
Assistant Director	6,500.00
Accountant	5,500.00
Stenographers (2)	7,759.00
Chief Engineer	6,000.00
Official Reporters (2)	10,116.00

A-2. Wages 2,056.00

A-3. Special Payments:

Expense Allowance—Attorney. For Salary and Wage Adjust- ments	1,500.00 12,580.00
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B. Contractual Services:

B-2. Travel	26,000.00
B-3. Telegraph and Telephone ..	2,000.00
B-4. Repairs	100.00
B-5. Printing and Advertising ..	100.00

C. Supplies:

C-4. Office Supplies	2,000.00
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D. Fixed Charges and Contributions:

D-1. Rents	1,666.67
D-2. Insurance	300.00
D-3. Contributions	875.00

G. Equipment:

G-1. Office Equipment	200.00
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Total (Item 1) For Administration

\$ 174,149.67

Item 2. Motor Transport Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 7,852.00
Office Assistant	5,148.00
Chief Clerk	4,862.00
Cashier	5,148.00
Insurance Clerk	3,595.00
Stenographer	4,205.00
Steno-Clerk	3,911.00
Steno-Clerk	3,404.00
Clerk	3,032.00
Chief Inspector, District No. 1.	5,148.00
Chief Inspector, District No. 2.	5,148.00
Inspectors	78,520.00

A-3. Special Payments:

Experts, Investigations and Ex- tra Clerical Help	700.00
For Salary and Wage Adjust- ments	12,997.00

B. Contractual Services:

B-2. Travel	53,400.00
B-3. Telegraph and Telephone...	1,760.00
B-4. Repairs	200.00
B-6. Water, Heat, Light and Power	21.00

C. Supplies:

C-4. Office Supplies	4,000.00
C-12. Other Supplies (License Plates)	1,550.00

D. Fixed Charges and Contributions:

D-1. Rents	1,680.00
D-2. Insurance	879.00

G. Equipment:

G-1. Office Equipment	360.00
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**Total (Item 2) Motor Transport
Division**

\$ 207,520.00

Item 3. Utilities Division:**A. Personal Service:****A-1. Salaries:**

Director	\$ 7,200.00
Assistant Director	6,500.00
Accountant	5,000.00
Engineers (2)	12,000.00
Field Inspector	5,450.00
Typist	1,667.00
Stenographers (2)	7,409.00
For Salary and Wage Adjust- ments	4,523.00

B. Contractual Services:

B-2. Travel	5,000.00
B-3. Telegraph and Telephone ..	600.00
For additional experts, expenses of witnesses, supplies, travel and other necessary ex- penses	1,500.00

Total (Item 3) Utilities Division ..	\$ 56,849.00
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TOTAL (Public Service Commission)	\$ 438,518.67
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Provided, That the appropriation for Item 3 of this Section shall be assessed against and collected from the electric light and power companies, operating in this State and shall be based upon the gross revenues of said companies from their business done wholly within the State of South Carolina as is set out in Section 58-60 of the Code of Laws of South Carolina, 1952.

Provided, Further, That all public service companies doing business in this State shall, on or before June 30, 1962, furnish the Comptroller General in such form as he may require, a statement setting forth the gross income of such public service company for the year ending December 31, 1961.

Provided, Further, That telephone companies are authorized to furnish free telephone service for official business to the Public Service Commission.

Provided, Further, That the Motor Transport Division of the Public Service Commission is hereby authorized to make refunds of fees which were erroneously collected.

Provided, Further, That the Commission, within its discretion, may prorate and adjust any portion or all of the license fees for D, E, and F certificate holders as between vehicles and units of various types.

SECTION 64

South Carolina Aeronautics Commission

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Director	\$ 10,000.00
Assistant Director	6,063.00
Secretary to Commission	3,183.00
Office Manager	4,547.00
Stenographer	2,849.00

A-2. Wages:

Janitor	1,611.00
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A-3. Special Payments	6,500.00
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Total (Item 1) For Administration	\$ 34,753.00
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Item 2. For Regulation, Training and Inspection:

A. Personal Service:

A-1. Salaries:

Flight Inspector	\$ 5,305.00
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Total (Item 2) For Regulation, Training and Inspection ..	\$ 5,305.00
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Item 3. For Airport Maintenance:

A. Personal Service:

A-1. Salaries:

Chief Supervisor	\$ 5,505.00
Electrician	3,561.00
Machine Operators	15,915.00

A-2. Wages:

Laborers	3,776.00
Temporary Help	4,500.00

Total (Item 3) For Airport Maintenance	\$ 33,257.00
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Item 4. For Equipment Maintenance:

A. Personal Service:

A-1. *Salaries:*

Shop Foreman	\$ 4,123.00
Mechanic	3,561.00

Total (Item 4) For Equipment Maintenance	\$ 7,684.00
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Item 5. For Operation:

B. Contractual Services:

B-2. Travel	\$ 11,000.00
B-3. Telegraph and Telephone ..	2,700.00
B-4. Repairs	9,000.00
B-5. Printing and Advertising ..	1,000.00
B-6. Water, Heat, Light and Power	7,300.00
B-7. Other Contractual Services.	5,000.00

C. Supplies:

C-4. Office Supplies	3,000.00
C-8. Motor Vehicle Supplies	4,500.00
C-11. Other Supplies	1,000.00

D. Fixed Charges and Contributions:

D-1. Rents	50.00
D-2. Insurance	5,500.00
D-3. Contributions	800.00

G. Equipment:

G-1. Office Equipment	1,200.00
G-4. Motor Vehicles and Equipment	3,000.00

Total (Item 5) For Operation	\$ 55,050.00
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Item 6. Maintenance and Improvements of Airports	\$ 35,000.00
Construction of Airport Marlboro County	40,000.00

Item 7. Special Maintenance Fund
for State System Airports:

A. Personal Service:

A-1. *Salaries:*

Resident Maintenance Super- visors	\$ 13,432.00
For Salary and Wage Adjust- ments	7,073.00

TOTAL (South Carolina Aeronautics
Commission) \$ 231,554.00

Provided, That the funds appropriated in Item 6 of this section shall be used only to maintain existing facilities in the State Airports System.

Provided, Further, That the funds appropriated in Item 6 for construction of an airport in Marlboro County shall not exceed 25% of the entire cost of the said airport, or the amount appropriated, whichever is the lesser.

SECTION 65

State Development Board

Item 1. For Administration:

A-1. *Salaries:*

Director	\$ 18,000.00
Assistant Director	12,000.00
Administrative Assistant	5,500.00
Industrial Agent	7,950.00
Senior Stenographer	3,381.00
Supply Room Clerk	2,226.00
Chief of Research and Field Man	10,000.00
Secretary to Assistant Direc- tor	3,941.00
Senior Stenographer	3,381.00
Senior Stenographer	3,381.00
Junior Accountant	4,770.00
Field Men	52,359.60
Agricultural and Internal Indus- tries Division:	
Assistant Director	14,310.00
Agricultural Industries Specialist	7,890.00

Industrial Markets Specialist ..	7,890.00	
Secretary	3,922.00	
Operating	988.00	
A-2. Wages:		
Laborers	1,040.00	
A-3. Special Payments:		
Board Members (5)	2,000.00	
Clerical Help	1,500.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	500.00	
B-2. Travel and Promotional Activities	30,000.00	
B-3. Telegraph and Telephone ..	12,000.00	
B-4. Repairs	5,000.00	
B-7. Other Contractual Services ..	32,000.00	
C. Supplies:		
C-4. Office Supplies	12,000.00	
C-7. Educational Supplies	1,500.00	
C-8. Motor Vehicle Supplies	5,000.00	
C-12. Other Supplies	150.00	
D. Fixed Charges and Contributions:		
D-1. Rents	4,822.80	
D-2. Insurance	2,000.00	
D-3. Contributions	50.00	
G. Equipment:		
G-1. Office Equipment	3,000.00	
G-2. Motor Vehicle Equipment ..	5,000.00	
G-8. Other Equipment	150.00	
<hr/>		
Total (Item 1) Administration		\$ 279,602.40
Item 2. Division of Geology:		
A. Personal Service:		
A-1. Salaries:		
State Geologist	\$ 9,540.00	
Secretary	3,932.00	
Project Geologist	8,400.00	
Ceramics Consultant	1,500.00	
Draftsman	650.00	
Field Assistants	1,260.00	

B. Contractual Services:	
B-2. Travel	1,750.00
B-4. Repairs	1,000.00
B-5. Printing, Binding and Advertising	2,000.00
B-7. Other Contractual Services	400.00
C. Supplies:	
C-7. Educational Supplies	150.00
C-8. Motor Vehicle Supplies	2,000.00
C-12. Other Supplies	375.00
E. Contingencies	83.00
G. Equipment:	
G-8. Other Equipment	750.00
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Total (Item 2) Division of Geology	\$ 33,790.00
Item 3. Travel and Information Division:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Director	10,600.00
Assistant Director	7,000.00
Secretary	3,381.00
Operating	519.00
B. Contractual Services:	
B-5. Printing, Binding and Advertising:	
Tourist and Industrial	250,000.00
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Total Item 3. Travel and Information Division	\$ 271,500.00
Item 4. Aircraft Operation and Maintenance:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Chief Pilot and Field Man ...\$	8,000.00
Co-Pilot and Field Man	5,500.00
Substitute Crew Member	800.00
B. Contractual Services:	
B-1. Travel and Promotional Activities	2,500.00
B-3. Telegraph and Telephone ..	10.00

B-4. Repairs	9,861.60	
B-6. Water, Heat, Light and Power	50.00	
C. Supplies:		
C-7. Educational Supplies	100.00	
C-8. Aviation Fuel and Motor Vehicle Supplies	13,500.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	5,000.00	
D-3. Contributions and Dues ...	250.00	
G. Equipment:		
G-1. Office Equipment	150.00	
<hr/>		
Total Item 4. Aircraft Operation and Maintenance		\$ 45,721.60
For Salary and Wage Adjust- ments		14,700.00
		<hr/>
TOTAL (State Development Board)		\$ 645,314.00

SECTION 66

Civil Defense Agency

For Administration:

Personal Service	\$ 63,934.00
Contractual Services	12,048.00
Supplies	4,183.00
Fixed Charges	4,463.00
Equipment	4,195.00
Contingencies	2,231.00

TOTAL (Civil Defense Agency) ... \$ 91,054.00

Provided, That the appropriation provided for the operation of this department shall be budgeted and submitted to the State Budget and Control Board for approval before any expenditures are made therefrom.

SECTION 67

Miscellaneous Appropriations

Item 1. To the Workmen's Compensation Fund to cover Compensation Insurance for State employees	\$ 125,000.00
Item 2. Woodrow Wilson Home—Maintenance Repairs	650.00
Item 3. Rocky Bottom Camp	2,400.00
Item 4. Regional Education Board: Scholarships	260,500.00
Administration	4,100.00
Item 5. Atlantic States Marine Fisheries Commission Dues ..	900.00
Item 6. South Carolina School Committee	25,000.00
Item 7. Poet Laureate	600.00
Item 8. Confederate War Centennial Commission	35,000.00
Item 9. Tax Study Committee	5,000.00
Item 10. For Off-Campus University Centers	150,000.00
Item 11. Committee on Mental Health and Mental Institutions ..	3,000.00
Item 12. Judicial Council	11,500.00
Item 13. Highway Department—Beach Erosion	100,000.00
Item 16. Forest Study Committee ..	5,000.00
Item 17. Committee to study peaceful uses of Atomic Energy, the control of the air and water pollution, and the use of radioactive materials	5,000.00
Item 20. Committee to study Communist activities	10,000.00
Item 27. University of S. C.—For Conducting a Counseling and Guidance Training Inst. ..	25,000.00
TOTAL (Miscellaneous Appropriations)	\$ 768,650.00

Provided, That warrants for the disbursement of the appropriation in Item 5 of this section shall be approved by the Executive Committeeman from South Carolina.

Provided, Further, That of the amount appropriated in Item 4 of this section whatever amount may be necessary and available may be used by the State Board for paying the actual difference between State and out-of-State tuition fees for non-contract students, not to exceed, however, the sum of \$350.00 for any medical or dental student, nor the sum of \$300.00 for any student of veterinary medicine, landscape architecture, optometry, Physical Therapy, Occupational Therapy, and students for Insurance Actuary. *Provided, Further*, That when any such non-contract student is approved by the State Board the payment provided herein shall be made directly to the institution or school involved for the account of such student.

Provided, Further, That out of the amount appropriated in Item 4 of this Section for scholarships, a sum not in excess of \$60,000.00, may be used by the South Carolina Regional Educational Board to provide scholarships at out-of-State institutions, in courses not available at the South Carolina State College, but which are available at other State Institutions of Higher Learning which applicants for such scholarships are legally ineligible to attend. The amount of such scholarships shall not exceed the difference between the tuition charge at the South Carolina State College and the tuition fee charged by such out-of-State Institutions.

Provided, Further, That funds provided in Item 10 of this section shall be allotted by the Board of Trustees of the University of South Carolina to the University and to the various off-campus centers on an equitable cost basis, to be approved by the State Budget and Control Board.

Provided, further, that any balance on June 30, 1962, in the 1961-62 appropriation for "an expanded program of research" may be carried forward and expended for the same purpose, with the approval of the State Budget and Control Board, during fiscal year 1962-63.

SECTION 68

Contributions

Item 1. Association of the Blind	\$ 25,000.00
Item 2. Confederate Museum	100.00
Item 3. Spanish War Veterans	1,000.00
Item 4. Council State Governments . .	8,750.00

Item 5. Carolina Orphan Home	25,000.00
Item 6 Oakley Park Red Shirt Shrine	1,800.00
Item 7. Commission on Uniform State Laws	850.00
Item 8. The Florence Crittenton Home (Charleston)	4,500.00
Item 9. Civil Air Patrol	15,000.00
TOTAL (Contributions)	\$ 82,000.00

SECTION 69

Aid to Subdivisions

Item 1. Aid to Counties:

Income Tax	\$ 3,862,500.00
Alcoholic Liquors Tax	2,100,000.00
Beer and Wine Tax	612,500.00
Insurance Tax	1,655,000.00
Bank Tax	330,000.00
Gasoline Tax	7,100,000.00

Total (Item 1) Aid to Counties	\$15,660,000.00
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Item 2. Aid to Municipalities:

Alcoholic Liquors Tax	\$ 1,575,000.00
Beer and Wine Tax	700,000.00
Insurance Tax	180,000.00
Bank Tax	165,000.00
Motor Transport Fees	640,000.00

Total (Item 2) Aid to Municipalities	\$ 3,260,000.00
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TOTAL (Aid to Subdivisions)	\$18,920,000.00
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Provided, That the above revenues shall be deposited in the General Fund of the State, and notwithstanding the amounts appropriated in the various items of this section, shall be allocated and paid to the Counties and Municipalities of the State in conformity with the percentages or proportions of such revenues prescribed by law.

SECTION 70

State Highway Department

General Administration	\$ 855,000.00
Engineering Administration	475,000.00
Motor Vehicle Administration	1,525,000.00
General Expense	300,000.00
Highway Maintenance	17,350,000.00
State Institutions	100,000.00
State Parks	50,000.00
Damage Claims	150,000.00
Highway Patrol	3,350,000.00
School Bus Driver Training	38,000.00
Debt Service	550,425.00
FICA, Retirement and Workmen's Compensation	1,360,000.00
Radio Maintenance	100,000.00
Equipment and Supply Purchases ...	1,795,000.00
Land and Buildings	200,000.00
Debt Retirement	4,091,630.00
Highway Construction and other pur- poses	24,276,095.00
TOTAL (Highway Department) ...	\$56,566,150.00

Provided, That the State Highway Department is hereby authorized to spend all cash balances brought forward from the previous year and all income including Federal Funds and proceeds from bond sales accruing to the State Highway Department, but in no case shall the expenditures of the State Highway Department exceed the amount of cash balances brought forward from the preceding year plus the amount of all income including Federal Funds and proceeds from bond sales.

Provided, Further, That the State Highway Department, with the approval of the State Treasurer, is hereby authorized to set up with the State Treasurer such special funds out of State Highway funds as may be deemed advisable for proper accounting purposes.

Provided, Further, That the State Highway Department is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place where their headquarters are so moved in the course of the business of the Department.

Provided, Further, That the State Highway Department is hereby authorized to secure bonds and insurance covering such activities of the Department as may be deemed proper and advisable, due consideration being given to the security offered and the service of claims.

Provided, Further, That the State Highway Department may set aside and deposit in its name the sum of three hundred fifty thousand dollars as a revolving fund, and all payments from such fund shall be restored to the fund by vouchers drawn on the Comptroller General against the State Highway fund.

Provided, Further, That the State Highway Department is authorized to pay the cost of lighting the Gervais Street Bridge, between Columbia and West Columbia.

Provided, Further, That the State Highway Department is hereby authorized to charge a fee of thirty cents postage for every vehicle license mailed to the owner.

Provided, Further, That employees of the State Highway Department shall receive a wage of not less than \$1.00 per hour, and no employee shall receive less than \$8.00 for an eight-hour work day.

Provided, Further, That the State Highway Department is hereby authorized to charge a fee of \$1.00 each for furnishing certified copies of abstracts of operating records of drivers in the administration of the Motor Vehicle Safety Responsibility Act of 1952, as amended; and also may establish an appropriate schedule of fees to be charged for copies of other records, lists, bidders' proposals, plans, maps, etc. based upon approximate actual costs of producing such copies, lists, bidders' proposals, plans, maps, etc., which schedule shall be effective upon approval by the State Highway Commission.

Provided, Further, That the Highway Department may sell any materials, supplies, or equipment classified as obsolete, surplus, or junk for which the Department has no further need, or offer same for trade-in on the purchase of new materials or equipment. All such sales of obsolete, surplus or junk materials or equipment by the Department shall be to the highest bidder not less than 10 days after having been advertised in a newspaper of statewide circulation at least once. *Provided,* That items having a value of less than \$25.00 may be disposed of by sale in the most advantageous way to the Department, and *provided further,* that the State Highway Department may make negotiated sales of surplus materials, equipment and supplies to county, state, and municipal agencies on a mutually agreed upon basis. All proceeds from the sale of such obsolete, surplus or junk material, supplies, and equipment shall be credited to the State Highway Fund.

Provided, Further, That the State Highway Department shall pay into the General Fund of the State the sum of \$242,000.00 as its proportionate share of the cost of administration of the following departments:

State Treasurer's Office	\$ 20,000.00
Comptroller General's Office	24,000.00
Attorney General's Office	75,000.00
State Budget and Control Board:	
Purchasing Division	20,000.00
State Tax Commission:	
Collection of Highway Revenue	103,000.00
<hr/>	
Total	\$ 242,000.00

SECTION 71

Recapitulation

Maintenance and Operation:

Section 3. Legislative Department	\$ 886,557.00
Section 4. Judicial Department	660,301.00

Executive and Administrative Division

Section 5. Governor's Office	735,882.50
Section 6. Lieutenant Governor's Office	5,200.00
Section 7. Secretary of State	84,503.20
Section 8. Comptroller General	750,670.00
Section 9. Attorney General	338,698.50
Section 10. State Treasurer	2,283,631.36
Section 11. Adjutant General	214,732.28

Educational Division

Section 12. University of South Carolina	4,035,859.00
Section 13. The Citadel	1,733,258.00
Section 14. Clemson College (Collegiate Activities) .	3,604,820.00
Section 15. Winthrop College	1,688,162.00
Section 16. State Medical College	2,699,549.00
Section 17. S. C. State College	1,677,928.00
Section 18. John de la Howe School	235,621.00
Section 19. School for the Deaf and the Blind	627,600.00
Section 20. State Superintendent of Education	78,395,758.00
Section 21. South Carolina Opportunity School	182,541.00
Section 22. State Agency of Vocational Rehabilitation	550,000.00

Section 23.	State Educational Finance Commission ..	21,100,436.17
Section 24.	Educational Television Commission	815,506.00
Section 25.	State Library Board	115,048.00
Section 26.	State Schoolbook Commission	71,938.00
Section 27.	Archives Department	115,807.00
Section 28.	State Library	11,542.20
Section 29.	Confederate Relic Room	3,777.00

Correctional and Welfare Division

Section 30.	Department of Public Welfare	8,384,843.00
Section 31.	S. C. Mental Health Commission	387,232.86
Section 32.	State Hospital	8,097,031.00
Section 33.	Pineland Training School	507,171.00
Section 34.	Whitten Village	2,525,000.00
Section 35.	South Carolina Sanatorium	1,287,157.00
Section 36.	S. C. Alcoholic Center	155,460.00
Section 37.	Children's Bureau	109,277.00
Section 38.	Probation, Parole and Pardon Board ...	447,732.00
Section 39.	State Penitentiary	1,418,056.00
Section 40.	State Industrial Schools' Board	51,325.00
Section 41.	Industrial School for Boys	339,291.00
Section 42.	Industrial School for Girls	150,838.00
Section 43.	John G. Richards Industrial School	224,145.00
Section 44.	Industrial School for Negro Girls	94,001.00

Regulatory Division

Section 45.	State Budget and Control Board	17,328,925.70
Section 46.	Board of Health	2,916,169.00
Section 47.	Water Pollution Control Authority	87,844.00
Section 48.	State Dairy Commission	76,172.00
Section 49.	Tax Commission	3,651,918.42
Section 50.	Insurance Department	769,421.50
Section 51.	Contractors' Licensing Board	31,597.00
Section 52.	State Service Bureau	298,160.00
Section 53.	Department of Agriculture	678,661.00
Section 54.	State Agricultural Marketing Commission	49,229.00
Section 55.	State Forestry Commission	2,363,980.64
Section 56.	Clemson College (Public Service Activities)	2,570,164.00
Section 57.	State Soil Conservation Committee	64,610.00
Section 58.	Department of Labor	198,383.00
Section 59.	Employment Security Commission	

Section 60.	Industrial Commission	321,477.00
Section 61.	Wildlife Resources Department	264,730.90
Section 62.	Board of Bank Control	250,280.00
Section 63.	Public Service Commission	438,518.67
Section 64.	Aeronautics Commission	231,554.00
Section 65.	State Development Board	645,314.00
Section 66.	Civil Defense Agency	91,054.00

Miscellaneous Division

Section 67.	Miscellaneous Appropriations	768,650.00
Section 68.	Contributions Division	82,000.00
Section 69.	Aid to Subdivisions	18,920,000.00

Total General Fund	\$200,902,699.90
Section 70. Highway Department	56,566,150.00

GRAND TOTAL\$257,468,849.90

SECTION 72. The expenditure of moneys appropriated in this Act shall be by warrant requisitions directed to the Comptroller General. Upon receipt of the requisition, accompanied by invoices or other satisfactory evidence of the propriety of the payment, and itemized according to standard budget classifications, the Comptroller General shall issue his warrant on the State Treasurer to the payee designated in the requisition. *Provided, However,* That, upon approval and designation by the State Budget and Control Board, state institutions may requisition funds in favor of their own treasurer, itemized only to the extent of the purpose of the appropriation as expressed in this Act, and may deposit such funds in the name of the institution, and disburse same by check to meet the purposes of the appropriation, but strict account shall be kept of all such expenditures according to standard budget classifications.

SECTION 73. Upon the approval and designation of the State Budget and Control Board, state institutions may, at the beginning of the fiscal year, requisition from their respective appropriations, a sum of money, the amount of same to be approved by the State Budget and Control Board, to be used throughout the year as a revolving fund for the handling of payrolls and other necessary operating expenses, all payments from such revolving funds to be reimbursed to them by regular requisitions on the Comptroller General.

Provided, Further, That at all state institutions where institutional revenue is available for operation, such revenue shall, as far as practicable, be used before appropriations from the State's General Fund are requisitioned; and no funds shall be requisitioned from such appropriation except to meet actual operating obligations of the year for which such appropriations are provided.

SECTION 74. During the fiscal year 1962-63 the State's institutions of higher learning shall maintain rates not less than those charged during the year 1961-62 for tuition, maintenance, and all other costs heretofore borne by those attending the said institutions, except the student activity fee, the amount of which may be fixed by the respective boards of trustees, and in all cases it is hereby required that such institutions shall charge fees which will fully cover all subsistence, laundry, infirmary treatment, and such other personal expenses, *Provided, However,* That for the fiscal year 1962-1963, and thereafter, the University of South Carolina, The Citadel, Clemson College, Winthrop College, and the South Carolina Medical College shall increase the fees of the students attending the respective institutions by at least \$50.00 each, the said additional charge to be levied so that the proceeds thereof may be used in the operation of the institution. *Provided, Further,* That the University of South Carolina, The Citadel, Clemson College, Winthrop College, S. C. State College, the South Carolina Medical College (including revenue of the Medical College Hospital), and the South Carolina Opportunity School shall remit all revenues and income, collected at the respective institutions, to the State Treasurer according to the terms of Section 1 of this Act, but all such revenues or income so collected, except fees received as regular term tuition, matriculation, and registration, shall be carried in a special continuing account by the State Treasurer, to the credit of the respective institutions, and may be requisitioned by said institutions, in the manner prescribed in Section 72 of this Act, and expended to fulfill the purpose for which such fees or income were levied; and it is further required that no such fee or income shall be charged in an amount in excess of what is necessary to supply the service, or fulfill the purpose for which such fee or income was charged. *Provided, Further,* That money derived wholly from athletic or other student contests, and any other funds derived wholly from the activities of student organizations, shall not be considered as State funds, and may be retained at the institutions. *Provided, Further,* That the University of South Carolina may operate its Law School in the summer of 1962, both summer school and

summer term, as it may be advised, and retain all additional tuition and other fees charged the law students therefor to aid it in such operation.

SECTION 75. All departments, institutions, and agencies of the State are hereby required and directed to budget and allocate the appropriations herein made to them, so as to provide for operation on uniform standards throughout the fiscal year 1962-63, and in order to avoid a deficiency in such appropriations, and upon request of the Budget and Control Board to submit to the Board its budget or plan of operation for the year, and the said Board is authorized to restrict the rate of expenditures of such agency if it appears that an unjustifiable deficit is likely to occur. *Provided, Further,* That the bonds of State officials violating the terms of this section shall be held liable therefor, unless the State Budget and Control Board has been advised of, and officially recognizes, the necessity for such deficit.

SECTION 76. Each department, institution, or other agency of the State is authorized to accept and receive such Federal Aid or grants as are or may be made available by the Federal Government for use in carrying out the purposes and functions of the department, institution or agency, but such funds when and as received, shall be deposited in the state treasury, if not in conflict with Federal regulations, and withdrawn therefrom as needed, in the same manner as that provided for the disbursement of state funds. *Provided,* That any such Federal aid or grant must be approved by the State Budget and Control Board before being accepted by such department, institution or other agency. *Provided, Further,* that donations or contributions from sources other than the Federal Government, for use by any state agency, shall be deposited in the state treasury, but in special accounts, and shall be withdrawn from the treasury as needed to fulfill the purposes and conditions of the said donations, or contributions, if specified, and, if not specified, as may be directed by the proper authorities of the department or institution.

SECTION 77. Except as otherwise provided in this Act, every appropriation under the classification of A-1 Salaries for a designated position shall be paid in monthly or bi-weekly installments to the person holding such position, but where a group appropriation is made for Personal Service, such appropriation shall be expended as may be determined by the officer in charge of such appropriation. *Provided, Further,* That the appropriated salaries for specified posi-

tions shall mean the maximum compensation for such position, and in any case where the head of any department can secure the services for a particular position or work at a lower rate than the salary specified in this Act, authority for so doing is hereby given.

Provided, Further, That no full-time employee of any State department or institution shall be paid any compensation or travel from any other department of the State Government except with the approval of the State Budget and Control Board.

SECTION 78. That salaries paid to officers and employees of the State, including its several boards, commissions and institutions shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee; *Provided, However,* That this shall not apply to the Governor's Mansion, nor to guards at any of the State's penal institutions and nurses and attendants at the State Hospital, Whitten Village, and the S. C. Sanatorium, when the cash compensation of such employees is \$3,600 or less per year. *Provided, Further,* That the Presidents of the State's institutions of higher learning may be permitted to occupy a residence on the grounds of such institutions without charge. *Provided, Further,* That the Farm Director, Farm Managers and specialists employed at State Farms Nos. 1 and 3 may be permitted to occupy residences situated on such farms without charge.

Provided, Further, That all salaries paid by State institutions and departments for which a lump sum appropriation is made, and from all departmental appropriations for groups of employees, shall be submitted to and approved by the State Budget and Control Board before becoming effective; and in submitting said salaries for approval of the said Board, the total salary paid to each officer and employee, included in such lump sum or group appropriations, shall be shown; and in any institution or department where one or more salaries are supplemented, the amount of such supplement shall be reported to the said Board for approval, and the source of such supplement.

SECTION 79. That the authorities of all institutions and departments for which a lump sum appropriation is made shall make an itemized report to the State Budget and Control Board of all expenditures at such intervals as may be required by said Board. *Provided, Further,* That no part of such lump sum appropriations

shall be used for permanent improvements unless specifically authorized herein.

SECTION 80. That except as otherwise hereinbefore provided the base pay of legislative clerks and attaches, designated in Section 3 of this Act, shall apply to a session of forty legislative days, and that each Clerk and attache shall receive additional compensation for such service at the same rate for each legislative day in excess thereof, the same to be paid from the approved accounts of the respective houses. *Provided However,* That laborers and porters shall be paid for six days of each week of the entire session. *Provided, Further,* That all salaries under Items 5 and 6 shall apply to a period of six months between sessions of the General Assembly, and each Clerk and attache provided for therein shall be paid at the same rate from approved accounts of the respective houses for any period in excess thereof. *Provided, Further,* That no salaries shall be paid under these items during any period when the General Assembly is in regular or special session.

SECTION 81. That all employees of the State of South Carolina or any agency thereof while traveling on the business of the State, shall be allowed the sum of \$10.00 per day as subsistence expenses. No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by which he is employed, except that the members of the Public Service Commission may be reimbursed at the regular mileage rate for one round trip each week from their respective homes to Columbia and may receive the regular subsistence allowance of other State employees for not exceeding three days in any week while in Columbia on official business. When an employee is assigned to work a particular territory or district, and such territory or district and his official headquarters are in different localities, or sections of the State, expenses may be allowed for necessary travel to his official headquarters. *Provided,* That members of the State Boards, Commissions or Committees, whose duties are not full time, and who are paid on a per diem basis, shall be allowed subsistence expenses while away from their places of residence on official business of the State. *Provided, Further,* That employees of the State traveling outside of the State on official business, shall be allowed the sum of \$12.50 per day as subsistence expenses, except that the Governor, State Treasurer, and Secretary of State shall be allowed actual expenses. *Provided, Further,* That each Circuit Judge while holding

Court within or without the circuit in which he resides, and each Justice of the Supreme Court, while attending the sessions of said Court at Columbia, shall be allowed the sum of fifteen (\$15.00) dollars per day as subsistence expenses, and each Justice and Judge shall further receive such mileage allowance for travel as is provided for other employees of the State. Two members of the Supreme Court shall be allowed actual subsistence and travel expenses while attending the National Convention of Chief Justices, and two Circuit Judges while attending the National Conference of State Trial Judges. *Provided, Further,* Whenever Agents, Auditors, Investigators, or other such employees of the State, are required in the performance of their regular audit or investigation duties to travel to cities of two hundred fifty (250,000) thousand, or greater, population, such employees shall be allowed the sum of \$2.50 per day additional as subsistence expenses.

The State Budget and Control Board is authorized to promulgate and publish regulations governing the application of the above-provided rates of travel of State employees.

That when an employee of the State shall use his or her personal automobile in traveling on necessary official business, a charge of 9 cents per mile will be allowed for the use of such automobile, and the employee shall bear the expense of supplies and upkeep thereof. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep thereof, but no mileage will be allowed. *Provided,* That in traveling on the business of the State, employees are required to use the most economical mode of transportation, due consideration being given to urgency, schedules, and like factors.

SECTION 82. That the Legislative members of State boards and commissions shall serve in their respective capacities as members of said boards and commissions until their successors shall have been elected or appointed, and qualified.

SECTION 83. That the per diem allowance of all boards, commissions and committees shall be at the rate of Ten (\$10.00) Dollars per day. *Provided,* That no full-time officer or employee of the State shall draw any per diem allowance for service on such boards, commissions or committees.

SECTION 84. That if necessary the board of trustees of State institutions of higher learning may limit the admission of students upon the basis of scholarship standing, or upon any other basis determined

upon by the respective boards. *Provided, Further,* That no State scholarships shall be granted by State institutions of higher learning, namely: The University of South Carolina, The Citadel, Clemson College, and Winthrop College.

SECTION 85. That members of the armed forces and federal employees stationed in South Carolina shall have the privilege of sending their children to the State educational institutions for the fees charged to citizens of this State; and where such persons are ordered away from the State, the children may continue to have this privilege while they attend the institutions.

Provided, Further, That foreign citizens, friendly to the United States, who are beneficiaries of scholarships to any of the State's institutions of higher learning, which scholarships are provided for by the student body of such institution, or donation from private citizens of South Carolina, shall be allowed to pay tuition at the same rates as residents of the State.

SECTION 86. The Boards of Trustees of the University of South Carolina, The Citadel, Winthrop College, Clemson College, and S. C. State College, are hereby authorized to abate the tuition fee charged at these institutions to the extent of Fifty (\$50.00) Dollars to the winner of the American Legion High School Oratorical Contest and to the Governor of Boys' State and to the highest ranking student in the State in the annual National Science Talent Search and to the Governor of Girls' State; the said abatements to be for four (4) years in each instance. As to the winner of the American Legion High School Oratorical Contest and the Governor of Boys' State, the abatement shall be granted only when the American Legion, Department of South Carolina, shall have contributed a like amount per year. The abatement of tuition herein provided is for the purpose of furnishing a scholarship of One Hundred (\$100.00) Dollars per year to the winners of the above contests, the State of South Carolina and the American Legion, Department of South Carolina, co-operating on an equal basis in providing these scholarships.

SECTION 87. In addition to the powers and duties devolved upon the Budget and Control Board by the 1952 Code of Laws of this State, the said Board is hereby given full power and authority to make surveys, studies, and examinations of departments, institutions, and agencies of this State, as well as its problems, so as to determine whether there may be an overlapping in the performance of the duties of the several departments, institutions, and agencies of the State,

that proper administrative and organizational economy is being observed, and for the purpose of determining whether a proper system of accounting is maintained in such departments, institutions, commissions, and agencies, and to require and enforce the adoption of such policies as are deemed necessary to accomplish these purposes; and to survey, appraise, examine and inspect, and determine the true condition of all property of the State, and what may be necessary to protect it against fire hazard or deterioration, and to conserve its use for State purposes, and to make and issue and to enforce all necessary, needful, and convenient rules and regulations for the enforcement of this provision and to approve the destruction or disposal of records of no value to the State. *Provided, Further,* That the State Budget and Control Board may require that all plans and specifications for permanent improvements of any nature by any state department or institution shall be submitted to the said Board for approval prior to the awarding of any contract therefor, or prior to construction by any other means. *Provided, Further,* That the State Budget and Control Board shall have the authority to designate State officials and employees who should be bonded, and the amounts for which such bonds should be written, and to require the same to be done.

SECTION 88. Any maintenance appropriations made herein or by special act now or hereafter, are hereby declared to be maximum, conditional and proportionate, the purpose being to make them payable in full in the amount named herein, if necessary, but only in the event the aggregate revenues available during the period for which the appropriation is made are sufficient to pay them in full. The State Budget and Control Board shall have full power and authority to survey the progress of the collection of revenue and the expenditure of funds by all departments and institutions, and is hereby authorized and directed to make such reductions of appropriations as may be necessary to prevent a deficit; *Provided,* That no institution or activity for which the General Assembly has herein provided shall be discontinued. *Provided, Further,* That any reduction of appropriations by the said Board, under authority of this Act, shall be uniform, and shall apply to all appropriations provided in this Act, except any part of such appropriations which may be encumbered by a written contract with an agency not connected with the State Government; and *Provided, Further,* That in making such reductions earmarked revenues shall be considered as a part of the amounts appropriated. *Provided, Further,* That no such reduction shall be ordered by the

State Budget and Control Board while the General Assembly is in session without first reporting such necessity to the General Assembly.

Provided, Further, That the State Budget and Control Board is hereby authorized to borrow such amounts of money as may be necessary to pay appropriations made by the General Assembly, and to pledge for the payment of such loans any General Fund assets, including revenues of the next succeeding fiscal year.

Provided, Further, That the disbursement of all funds appropriated in this act for educational purposes shall be in the discretion of the State Budget and Control Board.

Provided, Further, That the expenditure of funds, heretofore or hereafter provided, by any State Agency, except the State Highway Department, for permanent improvements, shall be subject to approval and regulations of the State Budget and Control Board. The Board shall have authority to allot to specific projects from funds made available for such purposes, such amounts as are estimated to cover the respective costs of such projects, to declare the completion of any such project, and to dispose, according to law, of any unexpended balances of allotments, or appropriations, or funds otherwise provided for such projects, upon the completion thereof.

SECTION 89. That transfers of appropriations herein provided may be made within departments, upon the unanimous approval of the State Budget and Control Board, but no such transfer shall be permitted for the purpose of increasing the compensation of any State employee which is specifically fixed in this Act.

SECTION 90. That unless specifically authorized herein, the appropriations provided in this Act as ordinary operating expenses of the State Government shall lapse on August 31, 1963. *Provided,* That appropriations for permanent improvements, or for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year following the close of the fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Budget and Control Board, toward the accomplishment of the purposes for which the appropriations were provided.

SECTION 91. Effective at the beginning of the next license year, the State Highway Department shall design and supply, at an appropriate fee, a special license plate, or supplemental plate or attachment, for use on all publicly owned motor vehicles operated by any department

or institution of the State of South Carolina, or any of its political subdivisions. It shall be unlawful for any such publicly owned vehicle to be operated in the State of South Carolina that does not carry such official emblem or marker. *Provided, However,* that this provision shall not apply to the automobile supplied for the Governor's personal use, automobiles supplied to Law Enforcement Officers, when in the opinion of the Chief of the South Carolina Law Enforcement Division it is advisable that such automobiles not be so marked, nor to automobiles supplied to Statewide elective State officials.

SECTION 92. That the amounts appropriated herein for salary and wage adjustments shall be allocated only to employees whose annual salaries are less than \$12,000.00, and no employee's salary shall be increased to more than \$12,000.00 per year; *Provided, However,* That this shall not apply to administrative and instructional personnel of schools and institutions of higher learning, nor to employees paid entirely from Federal funds.

End of Part I

PART II

Permanent Provisions

SECTION 1

Following sections to be permanent laws.

It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

SECTION 2

Subsistence expenses for members of General Assembly.

Section 2 of Part II of Act No. 855 of the Acts of 1958 is amended by striking on lines 5, 6 and 7 "the per diem amount provided for State employees, upon written certification by each member that he was actually in attendance at the Legislative Session of each day for which such payment is made" and inserting in lieu thereof "fifteen dollars per day", and by striking the last line of the section and inserting in lieu thereof: "This section shall take effect on and after January 1, 1963; *provided,* however, it shall not affect the per diem payable to any member during his present term of office," so that, when so amended, the section shall read as follows:

"Section 2. Except for Legislative days which, by Senate or House action, are designated for consideration only of local and uncontested matters, members of the General Assembly, including the Lieutenant Governor, shall be paid for each Legislative day, as subsistence expenses, fifteen dollars per day. *Provided, However,* That no member shall be paid for more than 40 Statewide days of any Legislative session to cover such expenses. This section shall take effect on and after January 1, 1963."

SECTION 3

Schedule of State aid for teachers' salaries.

Section 21-258 Code of Laws of South Carolina, 1952, as amended, is hereby further amended to read as follows:

"Section 21-258. Such State aid shall be disbursed to teachers in accordance with the following nine months period salary schedule (the figures under Columns A, B, C and D represent dollars):

	Prior Yrs. Exp.	CLASS I				CLASS II				CLASS III				CLASS IV				CLASS V			
		(Master's Degree— Regular)				(Bachelor's Degree Plus 18 Semester Hours Graduate Work)				(Bachelor's Degree)				Advanced (Three Years College)				Regular (Two Years College)			
		A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
1.	0	3366	2839	2988	2646	1962	1485	2529	2160	1656	1269	2313	2070	1611	1269
Probationary	1	3438	2952	3051	2700	1998	1521	2533	2205	1692	1305	2367	2115	1647	1305
	2	3510	3015	3114	2754	2034	1557	2637	2250	1728	1341	2421	2160	1683	1341
2.	3	3582	3078	3285	2799	3177	2808	2070	1593	2691	2295	1764	1377	2475	2205	1719	1377
Intermediate	4	3654	3141	3348	2862	3240	2862	2106	1629	2745	2340	1800	1413	2529	2250	1755	1413
and	5	3726	3204	3474	2938	3303	2916	2142	1665	2709	2385	1836	1449	2583	2295	1791	1449
Intermediate	6	3798	3267	3537	3051	3366	2970	2178	1701	2853	2430	1872	1485	2637	2340	1827	1485
Professional	7	4464	3870	3330	3600	3114	3429	3024	2214	1737
	8	4572	3942	3393	3663	3177	3492	3078	2250	1773
3.	9	4680	4014	3456	3726	3240	3555	3132	2286	1809
Advanced	10	4788	4086	3510	3789	3303	3618	3186	2322	1845
Professional	11	4896	4158	3582	3852	3366	3681	3240	2358	1881
	12	5004	4230	3645	3915	3429	3744	3294	2394	1917
	13	5112	4302	3708	3978	3492	3807	3348	2430	1953
4.	14	5220	4374	3771	4041	3555	3870	3402	2466	2961	2520	1944	1557
Permanent																					
Professional																					

Advanced Professional and Permanent Professional Certificates are not issued in Classes IV or V. Class IV Advanced, however, carries a final State Aid increment after 14 years, while no increment is provided after six years for Class IV Regular and Class V.

SECTION 4**When State agencies not required to make purchases from Board of Corrections.**

Notwithstanding the provisions of Act No. 818 of the Acts of 1960, as amended, no office, department, institution or agency, of this State, which is supported in whole or in part by this State, shall be required to purchase any article or product from the State Board of Corrections unless the purchase price of such article or product is no higher than that obtainable from any other producer or supplier.

SECTION 5**Textbooks used in educational television.**

Section 9 of Act No. 802 of the Acts of 1960 is amended by adding at the end thereof the following subsection:

“E. The textbooks and curricula in educational television shall be in conformity with the general policies of the State Department of Education.”

SECTION 6**Salaries of Constitutional Officers.**

Beginning with the terms of office following the General Election of 1962, the salaries of the Constitutional Officers, namely, the Secretary of State, the Attorney General, the Comptroller General, the State Treasurer, the State Superintendent of Education and the Adjutant and Inspector General shall be Fifteen Thousand (\$15,000-.00) Dollars per year.

SECTION 7**Members of General Assembly and certain others may join Retirement System.**

Notwithstanding the provisions of Sections 61-33 and 61-34, as amended, Code of Laws of South Carolina, 1952, any person who was elected to serve in the 94th General Assembly, or any State Official holding office under the Constitution of South Carolina, or any employee of the General Assembly may become a member of the South Carolina Retirement System on or before December 13, 1962, and receive credit for all previous service in conformity with the South Carolina Retirement Act and the Rules and Regulations of the Retirement Board.

SECTION 8**General Reserve Fund.**

Effective June 30, 1963, and for each Fiscal Year thereafter, the General Fund Reserve, provided for in Section 2, Part III, Act No.

644 of the Acts of 1954, is hereby limited to Three Million Dollars (\$3,000,000.00).

SECTION 9

Certain municipalities may establish official populations.

Incorporated municipalities for which there is no 1960 Federal Census may establish an official population using such means and methods satisfactory to the Secretary of State.

Such municipalities shall participate in revenue distributions made by the State to municipalities on the basis of such population.

SECTION 10

Certain persons may withdraw from Retirement System.

The Director of the South Carolina Retirement System is authorized to permit any member of the system who has joined through error or misunderstanding to withdraw from the system.

End of Part II

All Acts or parts of Acts inconsistent with any of the provisions of Part I of this Act are hereby suspended for the fiscal year 1962-63. All Acts or parts of Acts inconsistent with any of the provisions of Part II of this Act are hereby repealed.

This act shall take effect immediately upon its approval by the Governor.

Approved the 14th day of March, 1962.

(R832, H2121)

No. 750

An Act To Provide For The Creation Of Horizontal Property Regimes And Regulations Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—It has been found and is declared by the General Assembly of South Carolina that there is an urgent need to make available housing and business locations to those persons in this State who live in areas where land costs make it impossible for them to acquire single family homes or single unit

business locations and where current rentals are beyond their economic reach; that construction and development of housing and business locations for such persons cannot be undertaken by private industry for lack of legislation enabling single units in multi-unit structures to qualify for federally insured loans; and that enactment of this act will provide such legislation, and will make such housing and business locations available. Therefore, an emergency is declared to exist, and this act is necessary for the preservation of the public peace, health and safety.

SECTION 2. Citation of act.—This act shall be known as the “Horizontal Property Act.”

SECTION 3. Definitions.—Unless it is plainly evident from the context that a different meaning is intended, as used herein:

(a) “Apartment” means an enclosed space consisting of one or more rooms occupying all or part of a floor in a building of one or more floors or stories regardless of whether it be designed for residence, for office, for the operation of any industry or business, or for any other type of independent use, provided it has a direct exit to a thoroughfare or to a given common space leading to a thoroughfare;

(b) “Co-owner” means a person, firm, corporation, partnership, association, trust or other legal entity, or any combination thereof, who owns an apartment within the building;

(c) “Council of co-owners” means all the co-owners as defined in subsection (b) of this section; but a majority, as defined in subsection (f) of this section, shall, except as otherwise provided in this act, constitute a quorum for the adoption of decisions;

(d) “General common elements” means and includes:

- (1) The land on which the building stands;
- (2) The foundations, main walls, roofs, halls, lobbies, stairways, and entrance and exit or communication ways;
- (3) The basements, flat roofs, yards, and gardens, except as otherwise provided or stipulated;

(4) The premises for the lodging of janitors or persons in charge of the building, except as otherwise provided or stipulated;

(5) The compartments or installations of central services such as power, light, gas, cold and hot water, refrigeration, reservoirs, water tanks and pumps, and the like;

(6) The elevators, garbage incinerators and, in general all devices or installations existing for common use; and

(7) All other elements of the building rationally of common use or necessary to its existence, upkeep and safety;

(e) "Limited common elements" means and includes those common elements which are agreed upon by all the co-owners to be reserved for the use of a certain number of apartments to the exclusion of the other apartments, such as special corridors, stairways, and elevators, sanitary services common to the apartments of a particular floor, and the like;

(f) "Majority of co-owners" means fifty-one per cent or more of the basic value of the property as a whole, in accordance with the percentages computed in accordance with the provisions of Section 7 of this act.

(g) "Master deed" means the deed establishing the horizontal property regime;

(h) "Person" means an individual, firm, corporation, partnership, association, trust or other legal entity, or any combination thereof;

(i) "Property" means and includes the land, the building, all improvements and structures thereon, and all easements, rights and appurtenances belonging thereto;

(j) "To record" means to record in accordance with the provisions of Sections 60-51 through 60-69 and 60-101 through 60-161, Code of Laws of South Carolina, 1952, as amended, or other applicable recording statutes.

SECTION 4. Establishment of horizontal property regimes.—

Whenever a sole owner or the co-owners of a building expressly declare, through the recordation of a master deed, which shall set forth the particulars enumerated in Section 10, their desire to submit their property to the regime established by this act, there shall thereby be established a horizontal property regime.

SECTION 5. Apartments may be purchased and owned.—

Once the property is submitted to the horizontal property regime, an apartment in the building may be individually conveyed and encumbered and may be the subject of ownership, possession or sale and of all types of juridic acts inter vivos or mortis causa, as if it were sole and entirely independent of the other apartments in the building of which it forms a part, and the corresponding individual titles and interests shall be recordable.

SECTION 6. More than one person may own apartment.—Any apartment may be held and owned by more than one person as joint

tenants, as tenants in common, as tenants by the entirety or in any other real estate tenancy relationship recognized under the law of this State.

SECTION 7. Property rights of apartment owner.—An apartment owner shall have the exclusive ownership of his apartment and shall have a common right to a share, with the other co-owners, in the common elements of the property, equivalent to the percentage representing the value of the individual apartment, with relation to the value of the whole property. This percentage shall be computed by taking as a basis the value of the individual apartment in relation to the value of the property as a whole.

The percentage shall be expressed at the time the horizontal property regime is constituted, shall have a permanent character, and shall not be altered without the acquiescence of the co-owners representing all the apartments of the building.

The basic value, which shall be fixed for the sole purpose of this act and irrespectively of the actual value, shall not prevent each co-owner from fixing a different circumstantial value to his apartment in all types of acts and contracts.

SECTION 8. Common elements not to be divided.—The common elements, both general and limited, shall remain undivided and shall not be the object of an action for partition or division of the co-ownership. Any covenant to the contrary shall be void.

SECTION 9. Use of elements.—Each co-owner may use the elements held in common in accordance with the purpose for which they are intended, without hindering or encroaching upon the lawful rights of the other co-owners.

SECTION 10. Master deed to be recorded—contents.—The master deed creating and establishing the horizontal property regime shall be executed by the owner or owners of the real property making up the regime and shall be recorded with the register of mesne conveyances or clerk of court of the county where such property is located. The master deed shall express the following particulars:

(a) The description of the land and the building, expressing their respective areas;

(b) The general description and number of each apartment, expressing its area, location and any other data necessary for its identification; and

(c) The description of the general common elements of the building, and, in proper cases, of the limited common elements restricted to a given number of apartments, expressing which are those apartments;

(d) Value of the property and of each apartment, and, according to these basic values, the percentage appertaining to the co-owners in the expenses of, and rights in, the elements held in common.

SECTION 11. Building plans to accompany deed.—There shall be attached to the master deed, at the time it is filed for record, a full and exact copy of the plans of the building, which copy of plans shall be entered of record along with the master deed. The plans shall show graphically all particulars of the building including, but not limited to, the dimensions, area and location of each apartment therein and the dimensions, area and location of common elements affording access to each apartment. Other common elements, both limited and general, shall be shown graphically insofar as possible and shall be described in detail in words and figures. The plans shall be certified to by an engineer or architect authorized and licensed to practice his profession in this State.

SECTION 12. Designation of apartments.—Each apartment in a building shall be designated, on the plans referred to in Section 11 of this act, by letter or number or other appropriate designation and any conveyance, or other instrument affecting title to the apartment, which describes the apartment by using the letter or number followed by the words “in Horizontal Property Regime” shall be deemed to contain a good and sufficient description for all purposes. Any conveyance of an individual apartment shall be deemed to also convey the undivided interest of the owner in the common elements, both general and limited, appertaining to the apartment without specifically or particularly referring to same.

SECTION 13. Horizontal property regime may be waived and merged.—All the co-owners or the sole owner of a building constituted into an horizontal property regime may waive this regime and regroup or merge the records of the individual apartments with the principal property, provided, that the individual apartments are unencumbered, or if encumbered, that the creditors in whose behalf the encumbrances are recorded agree to accept as security the undivided portions of the property owned by the debtors.

SECTION 14. Merger not to bar another horizontal property regime.—The merger provided for in the preceding section shall in no way bar the subsequent constitution of the property into another horizontal property regime whenever so desired and upon observance of the provisions of this act.

SECTION 15. Building to be governed by by-laws.—The administration of every building constituted into horizontal property shall be governed by by-laws which shall be inserted in or appended to and recorded with the master deed.

SECTION 16. By-laws—provisions of.—The by-laws must necessarily provide for at least the following :

(a) Form of administration, indicating whether this shall be in charge of an administrator or of a board of administration, or otherwise, and specifying the powers, manner of removal, and, where proper, the compensation thereof;

(b) Method of calling or summoning the co-owners to assemble; that a majority of at least fifty-one per cent is required to adopt decisions; who is to preside over the meeting and who will keep the minute book wherein the resolutions shall be recorded;

(c) Care, upkeep and surveillance of the building and its general or limited common elements and services;

(d) Manner of collecting from the co-owners for the payment of the common expenses;

(e) Designation and dismissal of the personnel necessary for the works and the general or limited common services of the building.

The sole owner of the building, or, if there be more than one, the co-owners representing two-thirds of the total value of the building, may at any time modify the system of administration, but each one of the particulars set forth in this section shall always be embodied in the by-laws. No such modification may be operative until it is embodied in a recorded instrument which shall be recorded in the same office and in the same manner as was the master deed and original by-laws of the Horizontal Property Regime involved.

SECTION 17. Records of receipts and expenditures.—The administrator, or the board of administration, or other form of administration specified in the by-laws, shall keep a book with a detailed account, in chronological order, of the receipts and expenditures affecting the building and its administration and specifying the main-

tenance and repair expenses of the common elements and any other expenses incurred. Both the book and the vouchers accrediting the entries made thereupon shall be available for examination by all the co-owners at convenient hours on working days that shall be set and announced for general knowledge.

SECTION 18. Expenses to be shared.—The co-owners of the apartments are bound to contribute pro rata, in the percentages computed according to Section 7 of this act, toward the expenses of administration and of maintenance and repair of the general common elements, and, in the proper case, of the limited common elements, of the building, and toward any other expense lawfully agreed upon.

No co-owner may exempt himself from contributing toward such expenses by waiver of the use or enjoyment of the common elements or by abandonment of the apartment belonging to him.

SECTION 19. Certain unpaid assessments to be paid from sales price.—Upon the sale or conveyance of an apartment, all unpaid assessments against a co-owner for his pro rata share in the expenses to which Section 18 refers shall first be paid out of the sales price or by the acquirer in preference over any other assessments or charges of whatever nature except the following:

(a) Assessments, liens, and charges for taxes past due and unpaid on the apartment; and

(b) Payments due under mortgage instruments of encumbrance duly recorded.

SECTION 20. Liability of purchaser.—The purchaser of an apartment shall be jointly and severally liable with the seller for the amounts owing by the latter under Section 18 of this act up to the time of the conveyance, without prejudice to the purchaser's right to recover from the other party the amounts paid by him as such joint debtor.

SECTION 21. Building may be insured.—The co-owners may, upon resolution of a majority, insure the building against risks, without prejudice to the right of each co-owner to insure his apartment on his own account and for his own benefit.

SECTION 22. Fire insurance benefits to be used to reconstruct building.—In case of fire or any other disaster the insurance indemnity shall, except as provided in the next succeeding paragraph of this section, be applied to reconstruct the building.

Reconstruction shall not be compulsory where it comprises the whole or more than two-thirds of the building. In such case, and unless otherwise unanimously agreed upon by the co-owners, the indemnity shall be delivered pro rata to the co-owners entitled to it in accordance with provision made in the by-laws or in accordance with a decision of three-fourths of the co-owners if there is no by-law provision.

Should it be proper to proceed with the reconstruction, the provisions for such eventuality made in the by-laws shall be observed, or in lieu thereof, the decision of the council of co-owners shall prevail.

SECTION 23. Sharing of expenses in case of fire.—Where the building is not insured or where the insurance indemnity is insufficient to cover the cost of reconstruction, the new building costs shall be paid by all the co-owners directly affected by the damage, in proportion to the value of their respective apartments, or as may be provided by the by-laws; and if any one or more of those composing the minority shall refuse to make such payments the majority may proceed with the reconstruction at the expense of all the co-owners benefited thereby, upon proper resolution setting forth the circumstances of the case and the cost of the works, with the intervention of the council of co-owners.

The provisions of this section may be changed by unanimous resolution of the parties concerned, adopted subsequent to the date on which the fire or other disaster occurred.

SECTION 24. Assessment of taxes.—Taxes, assessments and other charges of this State, or of any political subdivision, or of any special improvement district, or of any other taxing or assessing authority shall be assessed against and collected on each individual apartment, each of which shall be carried on the tax books as a separate and distinct entity for that purpose, and not on the building or property as a whole. No forfeiture or sale of the building or property as a whole for delinquent taxes, assessments or charges shall ever divest or in anywise affect the title to an individual apartment so long as taxes, assessments and charges on the individual apartment are currently paid.

SECTION 25. Saving clause.—If any provision of this act is held invalid such invalidity shall not affect other provisions hereof, and to this end the provisions of this act are declared to be severable.

SECTION 26. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R833, H2217)

No. 751

An Act To Amend Act 875 Of The Acts Of 1960, Relating To The York County Juvenile And Domestic Relations Court, So As To Change The Method Of Compensation Of The Solicitor And Clerk Of Court; To Increase The Panel Of Petit Jurors From Twenty To Twenty-Six; And To Reduce The Original Jurisdiction Concerning The Welfare Of Any Male Child Of Age Eighteen To Age Sixteen.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6 of Act 875 of 1960 amended—solicitor—election—term—vacancies—salary.—Section 6 of Act 875 of 1960 is amended by striking it out and inserting in lieu thereof the following :

“Section 6. All criminal cases shall be prosecuted by the county solicitor who shall be a resident practicing attorney in York County. The qualified electors of the county shall elect the county solicitor at every alternate general election commencing with the general election in 1962. The term of office shall be for four years from the second Tuesday in January, 1963. The vacancy from the effective date hereof to the time an elected solicitor can qualify or any future vacancy shall be filled in the manner provided in Section 9 of this act. The solicitor shall receive such annual salary as may be provided for in the annual appropriations act of the county.”

SECTION 2. Section 10 of Act 875 of 1960 amended—clerk of court and court reporter.—Section 10 of Act 875 of 1960 is amended by striking it out and inserting in lieu thereof the following :

“Section 10. The clerk of the circuit court shall, ex officio, be the clerk of the Criminal Division and shall keep such dockets, minutes and records of the court and the cases pending therein and shall attend and perform the duties as required of him by law as clerk of the court of general sessions. For services rendered this court he shall receive such compensation as may be provided for in the annual

appropriations act of the county. The judge shall appoint some suitable person as court reporter who shall be paid such salary as may be provided in the annual appropriations act of the county. The reporter shall also act as secretary to the judge and as deputy clerk of this court."

SECTION 3. Section 11 of Act 875 of 1960 amended—jury commissioners—jurors—drawing and summoning of.—Section 11 of Act 875 of 1960 is amended by striking on line 7 the word "twenty" and inserting in lieu thereof the word "twenty-six" so that when amended the section shall read as follows:

"Section 11. The board of jury commissioners, as constituted by law in the county for the drawing of jurors for the circuit court, shall constitute the board of jury commissioners for the drawing of jurors for the sessions of the Criminal Division herein established; and such commissioners shall, upon the order of the court, at such time as may be fixed and after giving five days notice of such drawing from the jury box, draw a panel of not more than twenty-six petit jurors, and the clerk of the court shall immediately issue to the sheriff a venire containing the names of the persons drawn as petit jurors which venire shall be returnable at such time as may be designated by the court and the persons so served shall be the jurors for the term. The law relating to the qualifications, drawing, summoning, selecting and challenging of the jurors of the circuit court shall apply except as herein otherwise provided. The jury for the court shall consist of six qualified electors and shall be drawn as provided for jurors of the court of general sessions. Additional jurors as necessary, in the discretion of the judge, may be ordered as now or hereafter required for the circuit court."

SECTION 4. Section 15 of Act 875 of 1960 amended—Juvenile and Domestic Relations Division—jurisdiction—"court" defined.—Section 15 of Act 875 of 1960 is amended by striking on line 3 the words "child less than eighteen years of age" and inserting in lieu thereof the words "male child less than seventeen years of age and any female child less than eighteen years of age" and by striking on lines 9 and 10 the words "child under eighteen years of age" and inserting in lieu thereof the words "male child under seventeen years of age, and any female child under eighteen years of age" so that, when amended, the section shall read as follows:

“Section 15. The Juvenile and Domestic Relations Division shall have original jurisdiction concerning the welfare of any male child less than seventeen years of age and any female child less than eighteen years of age living or found within the county and once jurisdiction of such a child is acquired, the court can retain jurisdiction of such child until he reaches the age of twenty-one years unless the judge, in his discretion, determines that the child should be referred to the Criminal Division of this court or to the jurisdiction of another court of competent jurisdiction. This division shall have jurisdiction to try and dispose of the case of any male child under seventeen years of age, and any female child under eighteen years of age who has been charged with violating any law within the jurisdictional limits of this court; and the case of any child requesting trial by jury shall be transferred to the Criminal Division of this court or another court of competent jurisdiction. This division shall likewise have concurrent jurisdiction with the circuit court in matters relating to support and divorces. The term ‘court’ used in the sections of this act relating to this division shall mean the Juvenile and Domestic Relations Division of the Court herein established.”

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R834, H2256)

No. 752

An Act To Amend Act No. 436 Of The Acts Of 1961, Relating To The Requirement Of Building Permits In Counties Containing A Municipality With A Population Of Over Ninety-Seven Thousand Inhabitants According To The Latest United States Census, So As To Make It Unlawful For An Electric Utility Company Or Rural Electric Cooperative To Furnish Service To A Building Or Facility For Which A Permit Has Not Been Obtained, And To Require Notification To The County Auditor Of Each Such Extension Of Service.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act No. 436 of 1961 amended—Section 5A added—electricity not to be furnished without building permits.—Act

No. 436 of the Acts of 1961 is amended by adding the following new section, to be Section 5A :

"Section 5A. It shall be unlawful for any electric utility company or rural electric cooperative to make a new connection of electrical energy to a new building or facility requiring a permit under this act unless such permit was acquired for the construction of the building or facility. Any company or cooperative making such a connection shall report to the county auditor on or before the tenth of each month the location of each such connection, together with such other information as the auditor may direct."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R835, H2273)

No. 753

An Act To Provide For The Appointment Of A Deputy Clerk Of Court In Horry County Whose Duty Shall Be To Process Passport Applications.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Deputy clerk of court for Horry County.—The Clerk of Court of Horry County may appoint a deputy clerk of court without compensation whose sole duty shall be to process passport applications. The clerk of court may require a deputy clerk of court appointed by authority of this act to post reasonable bond.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R837, H2335)

No. 754

An Act To Change The Terms And Method Of Electing The Mayor And Councilmen Of The Town Of Cherry Grove Beach In Horry County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Election of mayor and councilmen for Town of Cherry Grove Beach—terms.—Notwithstanding any other provisions of law the date for electing the mayor and four councilmen of the Town of Cherry Grove Beach in Horry County shall be the fourth Tuesday in March of each odd-numbered year beginning in 1963. Persons elected in such elections shall serve for terms of two years or until their successors are elected and qualify.

SECTION 2. Time effective.—This act shall take effect upon approved by the Governor.

Approved the 16th day of March, 1962.

(R838, H2336)

No. 755

An Act To Amend Act 820 Of The Acts Of 1960, As Amended, Relating To Prorating Of Funds Of Bamberg County Schools, So As To Further Provide For Their Distribution, And To Repeal Section 5A Of Act 820 Of The Acts Of 1960, As Amended, Relating To Bamberg County Schools.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 4 of Act 820 of 1960 amended—cash to be prorated among districts.—Section 4 of Act 820 of the Acts of 1960, as amended by Act 67 of the Acts of 1961, is further amended by inserting between the comma and the word “bonded” on line 10 the following: “future entitlements resulting from allocations by the State Educational Finance Commission shall be equitably proportioned, but” so that, when so amended, Section 4 shall read as follows:

“Section 4. All cash on hand applicable for school operations and all cash received from taxes levied for school operating purposes for all fiscal years preceding that next ensuing shall be prorated between the school districts herein created, in proportion to their latest official assessments. Similarly, future entitlements resulting from allocations by the State Educational Finance Commission shall be equitably proportioned, but bonded debt of the school district shall become the sole obligation of Ehrhardt School District No. 3. It shall be entitled to all sinking funds and all moneys deriving from taxes levied for the payment of the principal and interest on such bonded debt. In

so providing, the General Assembly has ascertained that the only debt of former School District No. 1 was a debt which it assumed upon its creation. Such debt has been the debt of a school district whose area lies wholly within Ehrhardt School District No. 3 which is created herein. As a consequence, it has been determined that it is equitable and just that the debt be restored to the area originally incurring the debt."

SECTION 2. Section 5A of Act 820 of 1960 repealed.—Section 5A of Act 820 of the Acts of 1960 is repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R839, H2340)

No. 756

An Act To Provide For The Waiver Of Prepayment Costs Of The Service Of Process And Court Costs In Actions Brought In Behalf Of Any Agency Of Laurens County, Including The Laurens And Clinton Hospital Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County agencies exempt from prepayment of certain costs.—In any action brought in behalf of any agency of Laurens County, including the Laurens Hospital District and the Clinton Hospital District, the prepayment of costs of the service of process and court costs shall be waived by the sheriff and clerk of court.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R840, H2341)

No. 757

An Act To Exempt The Property Of The Mountville Grange, No. 632 In Laurens County From All County Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Mountville Grange No. 632 of Laurens County exempt from taxes.—All property of The Mountville Grange, No. 632 in Laurens County is exempt from county taxes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R843, H2349)

No. 758

An Act To Amend Section 47-131 Of The 1952 Code, Relating To Recall Of Intendants And Wardens In Certain Counties, So As To Include Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-131, 1952 Code, amended—recall authorized for certain towns.—Section 47-131 of the 1952 Code is amended by inserting between the words "Oconee" and "and" the following: ", Orangeburg" so that, when so amended, the section shall read as follows:

"Section 47-131. The intendant or any warden of any town of less than one thousand population in any of the counties of Aiken, Allendale, Bamberg, Beaufort, Berkeley, Calhoun, Edgefield, Greenville, Laurens, Marlboro, McCormick, Newberry, Oconee, Orangeburg and Richland may be removed from office in the manner provided in this article."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R846, H2353)

No. 759

An Act To Amend Sections 38-60 And 38-72 Of The 1952 Code, As Amended, Relating To Supplying Deficiencies In The Number Of Grand And Petit Jurors, So As To Dispense With The Tales Box In Greenwood County And To Provide That Deficiencies Shall Be Supplied From The Jury List.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 38-60, 1952 Code, amended—tales box eliminated in Greenwood County.—Section 38-60 of the 1952 Code, as amended, is further amended by adding at the end thereof the following: "*provided*, the jury commissioners of Greenwood County shall not prepare a tales box, but any deficiency in the number of grand or petit jurors shall be drawn from the jury list prepared as provided for in Section 38-52."

SECTION 2. Section 38-72, 1952 Code, amended—Greenwood County not to supply deficiency of jurors from tales box.—Section 38-72 of the 1952 Code, as amended, is further amended by adding at the end thereof the following: "*Provided*, the provisions of this section shall not apply in supplying any deficiency in the number of grand or petit jurors in Greenwood County."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R847, H2354)

No. 760

An Act To Repeal Section 36-651 Of The 1952 Code, Relating To Public Housing In Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 36-651, 1952 Code, repealed.—Section 36-651 of the 1952 Code is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R848, H2355)

No. 761

An Act To Amend Section 32-272 Of The 1952 Code, Relating To The Greenwood County Board Of Health, So As To Provide That A Member Of The Board Shall Be Appointed By The Board

Of Trustees Of School District No. 51 Instead Of School District No. 2 And To Provide That Such Member Shall Be A Resident And Qualified Elector Of Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-272, 1952 Code, amended—members—appointments—terms—chairman—vacancies.—Section 32-272 of the 1952 Code is amended by striking on line 6 the number “2” and inserting in lieu thereof the number “51” and by striking the period on line 7 and inserting in lieu thereof “who shall be a resident and qualified elector of Greenwood County.”, so that when amended the section shall read as follows:

“Section 32-272. The county board of health shall be composed of seven members to be appointed by the Governor upon the recommendation of the county legislative delegation. The mayor and city council of the city of Greenwood shall recommend to the delegation two members of the board. The mayor and town council of the towns of Ninety-Six, Troy and Hodges shall each recommend one member and the board of trustees of School District No. 51 shall recommend one member who shall be a resident and qualified elector of Greenwood County. The superintendent of education of Greenwood County shall serve ex officio as a member of the board. All members shall be appointed for a term of two years and shall serve until their successors are duly appointed and qualified. At the first meeting of the board one of the members shall be elected as chairman. In case of the death or resignation of a member of the board prior to the expiration of the term of office for which such member has been appointed his successor shall be appointed as herein provided.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

An Act To Amend Section 8-4, Code Of Laws Of South Carolina, 1952, Relating To Fees Authorized In Lieu Of Interest, So As To Authorize Fees In Lieu Of Add-On Charges; To Further Provide For Such Fees; To Amend Section 8-233, Code Of Laws

Of South Carolina, 1952, Relating To Interest Rates On Instalment Loans, So As To Increase The Amounts That May Be Loaned And To Further Provide For The Period For Which Such Loans May Be Made; And To Repeal Section 8-232, Code Of Laws Of South Carolina, 1952, Relating To The Interest Which Certain Industrial Banks May Charge.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 8-4, 1952 Code, amended—lending agencies may charge fee in lieu of interest.—Section 8-4, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following :

“Section 8-4. Banks, banking institutions and other lending agencies doing business in this State may charge in lieu of interest, or add-on charges, on single payment loans of thirty days or more involving fifty dollars or more, a fee not exceeding five dollars; *provided*, that on any such loans involving less than fifty dollars, the fee shall not exceed three dollars; and *provided*, further, that if any such loan shall be renewed, the renewal fee shall not exceed two dollars.

Banks, banking institutions and other lending agencies doing business in this State, may charge in lieu of interest, or add-on charges, on instalment loans payable in not less than three monthly instalments, involving fifty dollars or more, a fee not exceeding seven and one-half dollars or one and one-half dollars per instalment, whichever is the greater; and *provided*, further, that if any such loan shall be renewed, the renewal fee shall not exceed one and one-half dollars per instalment. No accident, health or property insurance may be required on loans of one hundred dollars or less.”

SECTION 2. Section 8-233, 1952 Code, amended—interest rate on instalment loans.—Section 8-233, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following :

“Section 8-233. Banks, banking institutions and other lending agencies doing business in this State may make loans and advances of credit to persons in amounts of not less than ten dollars and not more than seven thousand five hundred dollars, payable in instalments, for the financing of purchases and for other desirable purposes, over a period of not less than three months and on all such loans are allowed to make interest or add-on charges at the rate of not

exceeding seven per cent per annum just as if the entire amount of the debt matured on the date the last instalment becomes due; *provided*, that the provisions of this section shall not apply to loans secured by mortgages on real estate."

SECTION 3. Industrial banks may do business as small loan companies.—Any person heretofore chartered to do business as an industrial bank under the provisions of Section 8-232 of the 1952 Code may apply for and obtain a license to do business as a small loan company. No such person shall receive deposits or use the terms "bank", "banker", or "banking" in connection with his business.

SECTION 4. Section 8-232, 1952 Code, repealed.—Section 8-232, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1962.

(R850, H2275)

No. 763

An Act To Amend Section 15-261, Code Of Laws Of South Carolina, 1952, Which Divides The State Into Fourteen Judicial Circuits So As To Create The Fifteenth Judicial Circuit.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-261, 1952 Code, amended—judicial circuits—fifteenth circuit added.—Section 15-261, Code of Laws of South Carolina, 1952, is amended by deleting the word "fourteen" in the first line of the section and inserting in lieu thereof the word "fifteen", and by deleting from the twelfth judicial circuit Georgetown and Horry Counties and by adding at the end of the section the fifteenth judicial circuit as follows: "(15) The fifteenth circuit shall be composed of the counties of Georgetown and Horry." so that when so amended, Section 15-261 shall read as follows:

"Section 15-261. The State is divided into fifteen judicial circuits as follows:

(1) The first circuit shall be composed of the counties of Calhoun, Dorchester and Orangeburg;

(2) The second circuit shall be composed of the counties of Aiken, Bamberg and Barnwell;

(3) The third circuit shall be composed of the counties of Clarendon, Lee, Sumter and Williamsburg;

(4) The fourth circuit shall be composed of the counties of Chesterfield, Darlington, Marlboro and Dillon;

(5) The fifth circuit shall be composed of the counties of Kershaw and Richland;

(6) The sixth circuit shall be composed of the counties of York, Chester, Lancaster and Fairfield;

(7) The seventh circuit shall be composed of the counties of Cherokee, Spartanburg and Union;

(8) The eighth circuit shall be composed of the counties of Abbeville, Greenwood, Laurens and Newberry;

(9) The ninth circuit shall be composed of the counties of Charleston and Berkeley;

(10) The tenth circuit shall be composed of the counties of Anderson and Oconee;

(11) The eleventh circuit shall be composed of the counties of Lexington, McCormick, Saluda and Edgefield;

(12) The twelfth circuit shall be composed of the counties of Florence and Marion;

(13) The thirteenth circuit shall be composed of the counties of Greenville and Pickens;

(14) The fourteenth circuit shall be composed of the counties of Allendale, Hampton, Colleton, Jasper and Beaufort; and

(15) The fifteenth circuit shall be composed of the counties of Georgetown and Horry."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1962.

An Act To Provide For Representation On Boards And Commissions When New Judicial Circuits Are Created.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Representation on boards and commissions when new judicial circuits created.—Notwithstanding any other provisions of the law to the contrary, when a new judicial circuit is created, and representation on a board or commission of this State is now provided for by judicial circuits, then and in that event should the newly-created judicial circuit or an existing circuit not have a member, such new or existing circuit shall be entitled to representation on such board or commission. The member shall be elected or appointed to such board or commission as is now provided for by law. Any member elected or appointed under the provisions of this act shall be so elected or appointed for a term consistent with the procedure now prescribed for such board or commission.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1962.

(R855, S341)

No. 765

An Act To Amend Section 65-751, Code Of Laws Of South Carolina, 1952, As Amended, Which Provides That Persons Importing Soft Drinks Shall Be Subject To The License Tax Which Was Inadvertently Omitted From Act No. 826 Of 1960.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-751, 1952 Code, amended—tax on soft drinks.—Section 65-751, Code of Laws of South Carolina, 1952, as amended, is further amended by adding thereto a new paragraph which shall read as follows :

“Every person, firm, corporation, club, or association, or any organization or individual within the State of South Carolina, importing, receiving or acquiring from without the State, or from any other source, beverages commonly designated as soft drinks as contemplated by this article, for use or consumption within South Carolina shall be subject to payment of license tax at the rates provided for the sale, offer for sale, or distribution of such soft drinks.” so that when amended the section shall read as follows :

“Section 65-751. Every person doing domestic or intrastate business within this State and engaging in the business of selling, manu-

facturing, purchasing, consigning, using, shipping or distributing, for the purpose of sale within this State, bottled drinks of every kind whatsoever, including but not limited to the following articles or things, viz: soda water, ginger ale, coca-cola, lime-cola, pepsi-cola, near beer, fruit juices, vegetable juices, and all fountain drinks and other beverages and things commonly designated as 'soft drinks' shall, for the privilege of carrying on such business, be subject to the payment of a license tax which shall be measured by and graduated in accordance with the sales of such person within the State, except as may be otherwise provided in this article.

Every person, firm, corporation, club, or association, or any organization or individual within the State of South Carolina, importing, receiving or acquiring from without the State, or from any other source, beverages commonly designated as soft drinks as contemplated by this article, for use or consumption within South Carolina shall be subject to payment of license tax at the rates provided for the sale, offer for sale, or distribution of such soft drinks."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R856, S484)

No. 766

An Act To Amend Section 55-616, Code Of Laws Of South Carolina, 1952, Relating To Arrests For Violation Of Terms Of Parole, So As To Provide For Release On Bond Pending A Final Determination Of The Violation And To Amend Section 55-611, Code Of Laws Of South Carolina, 1952, Relating To Parole Of Prisoners, So As To Provide That Certain Prisoners May Be Paroled Upon Service Of At Least One-Third Of The Term To Which They Were Sentenced To Serve.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 55-616, 1952 Code, amended—parole violators may be released on bond.—Section 55-616, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following proviso :

“Provided, that any person arrested for violation of terms of parole shall be entitled to be released on bond pending a final determination of the violation by the Probation, Parole and Pardon Board. The bond shall be granted and the amount thereof determined by the presiding or resident judge of the circuit wherein the prisoner is arrested, or, if there be no judge within such circuit, by the judge presiding or resident in an adjacent circuit.”

SECTION 2. Item (1) of Section 55-611, 1952 Code, amended—parole of prisoners.—Item (1) of Section 55-611, Code of Laws of South Carolina, 1952, is amended by striking the period at the end thereof and adding “to serve.”, so that when amended the item shall read as follows:

“(1) Who, if sentenced for not more than thirty years, shall have served at least one-third of the term for which he was sentenced to serve.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R857, S497)

No. 767

An Act To Make Supplemental Appropriations And Regulations For Operation Of The State Government During The Fiscal Year 1961-1962, And To Enact As Permanent Laws Of The State Of South Carolina A Measure Providing For The Refund Of Retirement Contributions Made By A Justice Or Judge Under Certain Conditions; A Measure To Provide That Certain Dependents Of The Personnel Of The Armed Services And Federal Employees Stationed In South Carolina May Be Admitted To The State's Institutions Of Higher Learning At Fee Rates Paid By Residents Of The State; And To Authorize The State Superintendent Of Education To Borrow Funds For The Construction Of Dormitory Facilities At The Denmark Branch Of The South Carolina Area Trade School.

Be it enacted by the General Assembly of the State of South Carolina :

PART I

SECTION 1. The following sums of money, if so much be necessary, are hereby appropriated out of the General Fund of the State to supplement appropriations heretofore made for the operation of the State Government during the fiscal year 1961-1962 and for other purposes set forth herein.

SECTION 2. Governor's Office

Intra-State Teletype Network\$ 20,424.84

SECTION 3. Comptroller General's Office

Election Expense 16,200.00

SECTION 4. Adjutant General's Office

For Construction of Armories 420,000.00

SECTION 5. State Medical College

For Operation of Cancer Clinic 25,000.00

For Permanent Improvements 50,000.00

SECTION 6. S. C. School for the Deaf and the Blind

Item 1. For Replacement of Boilers and Housing
therefor 190,000.00

Item 2. To Establish a School for Aphasic Children .. 70,000.00

The appropriation made in Item 2 of this section shall include the construction and equipping of a building and operating expense for the first year.

SECTION 7. Superintendent of Education's Office

Vocational Education—Expansion of Trades and Industries Program 200,000.00

Provided, that any balance remaining in this appropriation at the end of the current fiscal year shall be carried forward and used for the same purpose during the fiscal year 1962-1963.

SECTION 8. S. C. Educational Television Center

For Expansion of Educational Television to all Counties
in the State\$475,000.00

Provided, that any balance remaining in this appropriation at the end of the current fiscal year shall be carried forward and used for the same purpose during the fiscal year 1962-1963.

SECTION 9. Advisory Committee for Technical Training

For Operation and Expansion of Program \$ 1,206,000.00

Provided, that any balance remaining in this appropriation at the end of the current fiscal year shall be carried forward and used for the same purpose during the fiscal year 1962-1963.

SECTION 10. For Establishment and Construction of a
New Facility for Retarded Children. 500,000.00

SECTION 11. S. C. Penitentiary

For Maintenance 112,500.00

SECTION 12. State Budget and Control Board

Subsection 2. Division of Sinking Funds and Property

Item 2. State Buildings and Grounds

Repairs—State House 40,000.00

Provided, that any balance remaining in this appropriation at the end of the current fiscal year shall be carried forward and used for the same purpose during the fiscal year 1962-1963.

SECTION 13. Department of Agriculture

Egg Inspectors (2) \$ 11,220.00

B-2 Travel 12,000.00

Provided, that any balances remaining in the appropriations made in this section at the end of the current fiscal year shall be carried forward and may be used for the same purposes during the fiscal year 1962-1963.

SECTION 14. S. C. Wildlife Resources Department

Item 4. Bears Bluff Laboratories

For the purchase of a Research Vessel 20,000.00

GRAND TOTAL \$ 3,368,344.84

SECTION 15. Notwithstanding the provisions of Act No. 818 of the Acts of 1960, as amended, no office, department, institution or agency of this State which is supported in whole or in part by this State, shall be required to purchase any article or product from the State Board of Corrections unless the purchase price of such article or product is no higher than that obtainable from any other producer or supplier.

PART II**Permanent Provisions**

SECTION 1. Following sections to be permanent laws.—It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

SECTION 2. Retirement contributions of judges or justices may be refunded.—Section 61-254, Code of Laws 1952, is hereby amended by adding at the end of said section the following:

“Should a member cease to be a judge or justice, as herein provided, except by death or retirement, he shall be refunded his total contributions without interest.”

SECTION 3. Dependents of Servicemen or Federal Employees may attend State Colleges at same rate paid by residents.—That the wives and children of members of the Armed Services and Federal Employees stationed in South Carolina shall have the privilege of attending the State's educational institutions of higher learning for the fees charged to residents of this State; and where such military personnel or employees are ordered away from the State, their wives and/or children may continue to have this privilege while they attend these institutions.

SECTION 4. Borrow money for housing at Denmark Trade School.—The State Superintendent of Education is hereby authorized to borrow from the State Sinking Funds, for the account of the South Carolina Area Trade School, the sum of one hundred fifty thousand (\$150,000.00) dollars for the construction of dormitory or housing facilities at the Denmark Branch of said Trade School.

For repayment of the said loan there is hereby pledged the Tuition and Registration fees collected by the Denmark Branch. The terms of the said loan shall be determined by the State Budget and Control Board.

Upon consummation of the loan, the Superintendent of the Area Trade School, under general supervision of the State Budget and Control Board, is authorized to proceed with the construction of the said facilities.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R858, H2268)

No. 768

An Act To Amend Act No. 202 Of The Acts Of 1961 Relating To Voting Precincts In St. Andrew's Parish In Charleston County, So As To Further Provide For Their Designation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 202 of 1961 amended—St. Andrew's Parish voting precincts defined.—Section 1 of Act No. 202 of the Acts of 1961 is amended by striking the figure "1" on line four and inserting in lieu thereof the figure "2"; by striking the figure "2" on line eight and inserting in lieu thereof the figure "4"; and by striking the figure "1" on line nine and inserting in lieu thereof the figure "2", so that when so amended, the section shall read as follows:

"Section 1. Notwithstanding the provisions of Section 23-163, Code of Laws of South Carolina, 1952, as amended, the voting precincts within St. Andrew's Parish shall consist of three precincts as follows:

Precinct No. 2 shall consist of that area shown as Section 1 on a plat of St. Andrew's Public Service District dated March, 1961 and recorded in the R. M. C. office for Charleston County in Plat Book 'N' at page 39 with a poll to be designated by the Charleston County Election Commission; Precinct No. 4 shall consist of that area of St. Andrew's Parish not included in Precincts Nos. 2 and 3, with a poll at or near the St. Andrew's High School; and Precinct No. 3 shall consist of that area of the parish lying south of U. S. Highway 17 and outside the corporate limits of the City of Charleston with a poll at or near the Oakland Elementary School."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R859, H2287)

No. 769**An Act To Require The Bonding Of School District Trustees In Dillon County.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dillon County school trustees to be bonded.—

Each school district trustee in Dillon County shall, as a condition precedent to his appointment to or continuance in such office, furnish a bond conditioned upon his limiting the expenditures of his district to the funds allocated therefor. The bonds shall be made payable in favor of the county, shall be in the amount of one thousand dollars, and the premiums therefor shall be paid by the county.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R860, H2283)

No. 770**An Act To Amend Item (11), As Amended, Of Section 65-259 Of The 1952 Code, As Amended, Relating To Deductions Allowed In Computing Net Income So As To Define The Value Of Certain Contributions Or Gifts.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 11 of Section 65-259, 1952 Code, amended—value of certain contributions or gifts.—Item (11), as amended, of Section 65-259 of the 1952 Code, as amended, is further amended by adding at the end the following: “*provided, further*, the value of such contributions or gifts shall be the fair market value as of the date of donation.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1962.

(R862, H2362)

No. 771

An Act To Amend Sections 70-5 And 70-6 Of The 1952 Code, Relating To The Cleaning Out And Obstruction Of Streams, So As To Provide That Certain Provisions Of Law Shall Be Applicable To Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 70-5, 1952 Code, amended—exceptions for certain counties.—Section 70-5 of the 1952 Code is amended by striking on line 4 “Greenwood,” so that when amended the section shall read as follows:

“Section 70-5. The provisions of Sections 70-3 and 70-4 shall not apply to the following counties, to wit: Abbeville, Aiken, Anderson, Bamberg, Barnwell, Beaufort, Berkeley, Chesterfield, Clarendon, Colleton, Darlington, Dorchester, Fairfield, Florence, Georgetown, Hampton, Horry, Kershaw, Lancaster, Lexington, Marlboro, Oconee, Pickens, Richland, Saluda, Sumter and Union and the provisions of Section 70-3 shall not apply to nor be enforced in Williamsburg County.”

SECTION 2. Section 70-6, 1952 Code, amended—unlawful to obstruct streams in certain counties.—Section 70-6 of the 1952 Code is amended by adding before the word “Laurens”, “Greenwood,” so that when amended the section shall read as follows:

“Section 70-6. The cutting or felling trees across or into any of the running streams of the counties of Abbeville, Anderson, Bamberg, Barnwell, Cherokee, Chester, Colleton, Fairfield, Greenville, Greenwood, Laurens, Newberry, Oconee, Pickens, Spartanburg, Union and York, obstructing them by throwing any timber or other materials therein or erecting a dam across any such stream, whereby the fall in such stream is lessened and the flow of water and sand is obstructed, the land along such stream above such obstruction is damaged or the health of the community is endangered or the refusal of any person who has erected any such obstruction to remove it within forty-eight hours after notice by anyone to do so shall be a misdemeanor and any person convicted thereof shall be punished by a fine of not less than five nor more than one hundred dollars or imprisoned for not less than ten nor more than thirty days, at the discretion of the court. But nothing contained in this section shall apply to the construction of milldams or dams for the purpose of generating power for any purpose.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R863, H2363)

No. 772

An Act To Provide That Chapter 4 Of Title 35 Of The 1952 Code, Relating To Tourist Camps And Road Houses, Shall Not Be Applicable To Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laws relating to tourist camps and road houses not to apply to Greenwood County.—The provisions of Chapter 4 of Title 35 of the 1952 Code shall not be applicable to Greenwood County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R865, H2369)

No. 773

An Act To Increase The Number Of Petit Jurors In Charleston County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Number of petit jurors for Charleston County.—Notwithstanding the provisions of Section 38-61 of the 1952 Code, as amended, the Charleston County Jury Commissioners shall draw sixty petit jurors.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R869, H2424)

No. 774**An Act To Abolish The Office Of Superintendent Of Education In York County And To Create The Office Of Administrative Secretary To The York County Board Of Education.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Office of Superintendent of Education for York County abolished and office of Administrative Secretary created.—The office of Superintendent of Education of York County shall cease to exist on July 1, 1962. On that date all duties and powers theretofore imposed by law upon the county superintendent of education shall be devolved upon the office of Administrative Secretary to the York County Board of Education, which is hereby created. The administrative secretary shall be appointed by the Governor, upon recommendation of the York County Board of Education and approval by a majority of the York County Legislative Delegation, for a term of four years and until his successor is appointed and qualified. The initial term shall commence July 1, 1962. Vacancies occurring during a term of office shall be filled in the manner of the original appointment for the unexpired portion of the term only. The administrative secretary shall receive such compensation as may be set by the annual York County Appropriations Act.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1962.

(R870, S715)

No. 775**An Act To Provide For The Payment Of State Aid For School Psychologists Employed By Counties Or School Districts, And To Prescribe The Conditions Under Which Such Payments May Be Made.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. State aid for schools employing psychologists.—The State Superintendent of Education is hereby authorized and directed to pay state aid to any county or school district in South

Carolina employing a school psychologist under conditions as set forth in this act.

SECTION 2. Psychologists to have certificates.—All school psychologists employed by the counties or school districts shall have a valid certificate issued by the State Board of Education according to regulations established by the board.

SECTION 3. Payment of State aid.—State aid for school psychologists shall be paid from the appropriation for state aid for teachers' salaries. The amount of state aid for each psychologist employed shall be determined by the application of the same laws, rules and regulations as pertain to the existing state scale for paying teachers' salaries.

SECTION 4. Eligibility for State aid.—Any county or school district shall be eligible for state aid for a school psychologist employed for each five thousand pupils enrolled; *provided*, that each county shall be eligible for state aid for at least one school psychologist. *Provided*, further, that any district or county may combine with any other school district or county in order to meet the minimum enrollment requirement and for the purpose of securing the services of a school psychologist. When school districts or counties are acting jointly in this respect, state aid shall be paid to the operating units in proportion to the enrollment in these units; *provided*, further, payments of state aid under the provisions of this act shall have no bearing on the amount of state aid for which a school may otherwise qualify regardless of the fact that pupils with whom the psychologist works may already have been counted for other purposes of state aid.

SECTION 5. Psychologist to be employed by State Department of Education.—The State Superintendent of Education shall employ a school psychologist in the State Department of Education in order to properly supervise the work of school psychologists employed by the counties and school districts and also to be available to help counties and school districts unable to employ a school psychologist.

SECTION 6. Rules and regulations.—The State Board of Education may promulgate such rules and regulations as may be necessary to carry out the provisions of this act.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R871, S390)

No. 776

An Act To Establish A County Court For Charleston County If The Election Provided Herein Results Favorably Thereto.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. County Court established for Charleston County if election favorable.—Subject to the referendum hereinafter provided for, a County Court is hereby established in and for Charleston County with such jurisdiction as is herein provided and which shall be known as the Charleston County Court.

SECTION 2. Judge—qualifications—oath—salary.—The County Judge shall have the same qualifications for office as Circuit Judges and, before entering upon the duties of his office, shall take the same oath of office as required by law by all Circuit Judges and shall be commissioned in the same manner as are Circuit Judges. The county governing body shall provide for the salary of the Judge in an amount not less than eighty per cent of the salary of Circuit Judges, nor more than the salary of Circuit Judges.

SECTION 3. Appointment—term.—The Charleston County Bar Association may submit recommendations to the delegation for the office of county judge; however, the judge shall be appointed by the Governor upon the recommendation of a majority of the Charleston County Legislative Delegation. The county judge shall be a resident practicing attorney of the Charleston County Bar and shall qualify and take the oath of office provided for circuit judges. The term of office of the county judge shall be six years from the date of his qualification and until his successor is appointed and qualifies.

SECTION 4. Vacancies.—All vacancies in the office of County Judge shall be filled by appointment by the Governor in the same manner as provided herein for the original appointment.

SECTION 5. Not to practice law—age limit.—The County Judge shall not be allowed to practice law and shall be ineligible to serve after reaching his seventy-second birthday.

SECTION 6. Solicitor.—The Solicitor of the Circuit Court shall prosecute all criminal cases.

SECTION 7. Clerk of Court.—The Clerk of the Circuit Court shall be ex officio Clerk of the County Court.

SECTION 8. Grand jury.—The Grand Jury drawn for and serving in the Court of General Sessions of Charleston County shall constitute the Grand Jury of the County Court and shall so serve and act upon all indictments of the Court. The Grand Jury shall attend upon the sessions of the County Court whenever notified so to do by request of the County Solicitor and order of the County Judge.

SECTION 9. Stenographer.—The Judge shall appoint, for the County Court, an official stenographer, who shall attend upon the sessions of the Court and perform the duties in connection therewith as performed by the circuit stenographer in the Circuit Court. The stenographer shall receive a salary as provided for by the county governing body of Charleston County. The stenographer shall furnish the Judge, when required, a copy of any proceeding without cost; but when any record or copy of any proceeding is requested by any person other than the Judge, the stenographer concerned shall receive the regular fees allowed for such, which sum shall be retained by the stenographer.

SECTION 10. Sheriff.—The Sheriff of the county shall attend upon all sessions of the County Court and shall be subject to the orders thereof and execute the orders, writs and mandates of the County Court as required by law of him in reference to the Circuit Court. The costs and fees of the Sheriff in civil cases in the County Court shall be the same as those allowed in similar cases in the Court of Common Pleas.

SECTION 11. Bailiffs.—The Judge shall appoint a sufficient number of bailiffs, not to exceed two, who shall attend upon the Court and be subject to its orders. The bailiff-clerk, who shall hold office at the pleasure of the Judge, shall be charged with the responsibility of taking of the court records and proceedings of the Court and shall receive such salary as is provided by the governing body. He shall be in attendance daily. The bailiffs shall have the same power as constables of the county. The bailiff, other than the bailiff-clerk, shall receive as compensation a per diem as may be fixed by the county governing body for the time actually engaged and shall not

be retained in attendance upon the Court longer than the exigencies of the Court may require.

SECTION 12. Quarters—publications.—The governing body of Charleston County shall make provision by setting apart suitable quarters in the courthouse for holding the session of the County Court and shall provide the Court with the volumes of the Code of South Carolina, as at present published and as may hereafter be published, together with the Acts and Joint Resolutions of the General Assembly for each year as they are issued.

SECTION 13. Record books.—The governing body of the county shall provide all books necessary for keeping records of the Court.

SECTION 14. Court of record.—The County Court shall be a court of record and have a seal inscribed with the words "County Court of Charleston County." The same presumptions in favor of its jurisdiction and the validity of its judgments and decrees shall hold as in cases of judgments and criminal proceedings rendered in the Circuit Court.

SECTION 15. Civil jurisdiction.—The County Court shall have concurrent jurisdiction with the Court of Common Pleas in all civil cases and special proceedings, both at law and in equity, when the amount demanded in the complaint does not exceed twelve thousand dollars or when the value of the property involved does not exceed twelve thousand dollars and in all other civil cases and special proceedings, both at law and in equity, in which there is no money demand or in which the right involved cannot be monetarily measured. The Court shall have concurrent jurisdiction with the Circuit Court to hear and determine all appeals in civil cases from judgments rendered by Magistrates' Courts and the proceedings on such appeal shall be the same as are provided for appeal from the last named Courts to the Courts of Common Pleas. The Court shall have concurrent jurisdiction with the Court of Common Pleas of the county in actions relating to separations and to divorce from the bonds of matrimony and other domestic relations matters.

SECTION 16. Criminal jurisdiction.—The County Court shall also have concurrent jurisdiction with the Court of General Sessions to try and determine all criminal cases except cases where jurisdiction is denied inferior courts by provisions of the State Constitution, and cases in which the maximum penalty is in excess of ten

years, as is now or may hereafter be provided by law. The Court shall have concurrent jurisdiction with the Court of General Sessions to determine appeals in all criminal cases from Magistrates' Courts, municipal Court or town councils of any of the cities and towns in the county.

SECTION 17. Judge—jurisdiction.—In all cases and special proceedings within the jurisdiction of this Court, the Judge shall have the same jurisdiction both in open Court and at chambers as possessed by Circuit Judges of cases pending in Circuit Court over which they are presiding or in the circuit in which they are residents.

SECTION 18. Issue writs of habeas corpus—grant bail.—The Judge may issue writs of habeas corpus in all cases within jurisdiction of the Court and grant bail in all cases which might be tried in the Court or in cases where the Magistrate may grant bail.

SECTION 19. Terms of court.—The Court shall be held at the discretion of the Judge at such times as he may deem it necessary to properly dispatch both civil and criminal matters which may properly come before the Court and shall continue for such time as is necessary to dispose of these matters. The Court shall always be open for the transaction of such civil and criminal business as may be disposed of without a jury. Each week which may be designated for jury trials shall be considered a term.

SECTION 20. Pleadings and rules of procedure.—The same forms of pleadings and the same rules of procedure, practice and evidence shall obtain in the County Court as provided by law for the trial of civil and criminal cases in the Circuit Court, when not inconsistent with the provisions of this act. The pleadings or copies thereof in a case for trial before the Court shall be filed in the clerk's office, as provided by law for the Circuit Court, before five o'clock in the afternoon of the Wednesday preceding the first day of the next ensuing term of Court and the clerk shall forthwith enter the cases upon the appropriate calendar.

SECTION 21. Jurors—number of.—When a jury is required by law for the trial of a civil or criminal case in the Court the jury shall consist of six persons.

SECTION 22. Drawing and summoning of.—The board of jury commissioners, as constituted by law in the county for drawing of the jurors for the Circuit Court, shall constitute the board of com-

missioners for the drawing of jurors to attend upon both civil and criminal sessions in the County Court and such commissioners shall, upon the order of the Court, at such times as shall be fixed and, after five days notice of such drawing, draw from the jury box a panel of petit jurors, whether the same has been previously drawn or not, and the clerk of the Court shall immediately issue to the Sheriff a venire containing the names of the persons drawn as petit jurors. Not more than eighteen persons shall be drawn and summoned to attend at the same time at any civil session of the Court unless the Court shall otherwise order. There shall be drawn for jury duty to attend each session of the criminal court at least twenty-seven jurors and the Court may summon additional jurors in accordance with law when in its discretion it is deemed warranted. Each venire shall be returnable at such time as may be named by the Court and the persons so served shall be the jurors for the session of the Court. The law relating to the qualifications, drawing and summoning of jurors of the Circuit Court shall apply to the County Court except as may otherwise be provided herein.

SECTION 23. Service of jurors.—Jurors drawn and summoned shall appear and attend upon the sessions of the County Court for which summoned until excused or discharged by the Judge thereof; *provided*, that services as jurors in the County Court shall be held to exempt a juror from services as such in the Circuit Court in the same year, nor shall a juror be required to serve in such County Court more than once in the same year.

SECTION 24. Empanelling and selection of juries.—The empanelling of juries in all criminal cases of the Court shall be according to the practice now established in the Courts of General Sessions. In the selection of a jury for the trial of criminal cases in the County Court the accused, when charged with a misdemeanor, shall be entitled to peremptory challenges not exceeding three and the State to two. In the trial of cases of felony the accused shall be entitled to peremptory challenges not exceeding five and the State to three. When there are two or more persons jointly indicted and so tried, the accused shall be jointly entitled to four peremptory challenges in cases of misdemeanors and the State to two, and in cases of felony the defendants jointly shall be entitled to six peremptory challenges and the State to four.

SECTION 25. Further.—In civil cases the plaintiff and the defendant shall each be allowed to alternately strike three jurors, the plain-

tiff striking first. Objections for cause shall be allowed and vacancies in the panel filled in the manner now provided in the Court of Common Pleas.

SECTION 26. Contempt of court.—The Judge of the Court shall possess all of the powers in respect to preserving order or punishing for contempt of court possessed by Circuit Judges.

SECTION 27. Charges of judge.—The Judge shall not charge on the facts but shall declare the law only.

SECTION 28. Costs—disbursements—fees.—All costs and disbursements allowed the prevailing party and all costs and fees allowed officers of the Court in actions in the Court of Common Pleas shall be allowed in actions in the County Court.

SECTION 29. Compensation of jurors and witnesses.—Jurors in attendance upon the sessions of the County Court shall receive as compensation for their services the same per diem and mileage as is allowed jurors in the Circuit Court. Witnesses in attendance upon the County Court shall receive the same compensation as witnesses in attendance upon the Circuit Court.

SECTION 30. Appeals.—In all civil actions and criminal proceedings and any special proceedings of which the County Court shall have jurisdiction, the right of appeal shall be to the Supreme Court in the same manner and pursuant to the same rules, practices and procedure as now govern appeals from Circuit Courts, except that civil matters where the amount involved is less than one thousand dollars may be appealed to the Circuit Court.

SECTION 31. Jury trial.—In any civil action either party may demand a jury trial in a case in which a trial by jury is granted of right under the Constitution and laws of this State.

SECTION 32. Jurisdiction as to probation or suspension of sentence.—The County Court shall have concurrent jurisdiction with the Court of General Sessions of Charleston County to issue warrants for the arrest of a defendant for violation of the conditions of probation or suspension of sentence in all cases where the defendant was sentenced by the County Court. The County Court may revoke the probation or suspension of sentence in the same manner as provided in Section 55-596, Code of Laws of South Carolina, 1952, and hear such matters whether the sentence originated in the Court of General Sessions or in it.

SECTION 33. Referendum concerning creation of court.—A referendum shall be held at the next general election in Charleston County in order to determine if the qualified electors of the county desire to establish a County Court for Charleston County as provided by this act. The election shall be conducted in accordance with the provisions of the South Carolina Election Law. The question submitted to the qualified electors in the referendum shall be:

“Should a County Court for Charleston County be created?”

The question shall be followed by the words

“Yes

No”

and suitable instructions shall be given to those voting. As soon as convenient, the Commissioners of Election for Charleston County shall render a return of the results of the referendum. They shall declare such results and certify them to the Clerk of Court for Charleston County and to the Secretary of State.

SECTION 34. Court may be created if election favorable.—If the majority of those voting favor the creation of the court, the General Assembly may enact such further legislation as may be necessary to the proper functioning of the court; *provided*, however, that the General Assembly shall not abolish the said court nor amend the provisions of sections 2, 3, 4, 15, or 16 except upon the approval of the qualified electors of Charleston County as expressed in a referendum held in conjunction with a general election.

SECTION 35. Present court to be abolished.—The Civil and Criminal Court of Charleston County shall be abolished on the day preceding the swearing in of the Judge of Charleston County Court and all cases or other matters pending in that Court shall be transferred to the newly formed Court.

SECTION 36. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 37. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R874, S520)

No. 777

An Act To Authorize The Board Of Corrections To Condemn Lands For Certain Purposes And To Designate The Procedure Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Board of Corrections may purchase or condemn lands.—The Board of Corrections may purchase or condemn lands for the construction of any building or sewerage or water line essential to the operation of the prison system.

SECTION 2. Procedure for condemnation.—The procedure for such condemnation shall be as outlined in Sections 25-53 through 25-64 of the 1952 Code.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R876, S560)

No. 778

An Act To Amend Sections 1 And 2 Of Act 610 Of 1954, As Amended, Relating To Minimum Retirement Allowances For Certain Teachers And State Employees, So As To Raise The Minimum Retirement Allowance For Teachers.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 610 of 1954 amended—minimum retirement allowances for certain teachers and State employees.—Section 1 of Act No. 610 of 1954, as amended, is further amended to read as follows :

“Section 1 (a). Any person who has retired or who may retire under the provisions of the South Carolina Retirement Act while in service as such teacher or employee, who is eligible for Federal Social Security payments, and has twenty or more years of creditable service, shall be paid from the general funds of the State a monthly sum, in addition to the retirement allowance he or she may receive under the Retirement Act, to provide him or her a minimum of seventy dollars per month. *Provided*, however, that should such teacher

or employee elect to receive a reduced retirement allowance as provided in the Retirement Act, he or she or the beneficiary shall be paid only such amount as would be payable under the terms of the South Carolina Retirement Act and the option chosen.

(b) Any person who retired prior to October 1, 1956, under the provisions of the South Carolina Retirement Act while in service as such teacher or employee, and any person who has retired or may retire under the provisions of the South Carolina Retirement Act subsequent to that date and who furnishes proper proof that he is not receiving primary Federal Social Security payments, and who has twenty or more years of creditable service shall be paid from the general funds of the State a monthly sum, in addition to the retirement allowance he or she may receive under the Retirement Act, to provide him a minimum of eighty dollars per month. *Provided*, however, that should such teacher or employee elect to receive a reduced retirement allowance as provided in the Retirement Act, he or she or the beneficiary shall be paid only such amount as would be payable under the terms of the South Carolina Retirement Act and the option chosen."

SECTION 2. Section 2 of Act 610 of 1954 amended—minimum retirement allowances for certain teachers and State employees.—Section 2 of Act No. 610 of 1954, as amended, is further amended to read as follows:

"Section 2. Any public school teacher, State employee, or employee of an employer covered by the South Carolina Retirement System who retired prior to July 1, 1945, in service with twenty or more years of such service and who has reached age sixty, shall be eligible for the minimum allowance of eighty dollars per month for the remainder of his life, such benefits to be paid from the General Fund of the State."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect on July 1, 1962.

Approved the 22nd day of March, 1962.

(R878, S594)

No. 779

An Act To Amend Act No. 99 Of The Acts Of 1959, As Amended, Relating To The Greenville-Spartanburg Airport District, So As To Increase The Limitation Upon The Issuing Of General Obligation Bonds By The District From Six Million Dollars To Seven Million Five Hundred Thousand Dollars And To Make Further Provision For The Payment Of Interest And Amortization On The Bonds By The Application Of Certain Funds For These Purposes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Paragraph 14, Section 4 of Act 99 of 1959 amended—District may issue bonds.—Paragraph 14 of Section 4 of Act No. 99 of the Acts of 1959 is amended by striking it out in its entirety and inserting in lieu thereof the following:

“14. Issue under conditions prescribed in paragraph 16 of this section, general obligation bonds of the District in an amount not exceeding seven million five hundred thousand dollars.”

SECTION 2. Paragraph 16, Section 4 of Act 99 of 1959 amended—Commission may issue bonds.—Paragraph 16 of Section 4 of Act No. 99 of the Acts of 1959 is amended by striking out the first sentence of the paragraph which reads as follows: “The Commission, on behalf of the District, shall be empowered to issue not exceeding six million dollars (or such lesser amount as may be prescribed by the provisions of paragraph 15 of this section) of general obligation bonds of the district, whose proceeds shall be used to defray the cost of constructing and establishing an airport facility within the District.” and inserting in lieu thereof the following: “The Commission, on behalf of the District, shall be empowered to issue not exceeding seven million five hundred thousand dollars of general obligation bonds of the District, whose proceeds shall be used to defray the cost of constructing and establishing an airport within the District.” The paragraph when amended shall read as follows:

“16. The Commission, on behalf of the District, shall be empowered to issue not exceeding seven million five hundred thousand dollars of general obligation bonds of the District, whose proceeds shall be used to defray the cost of constructing and establishing an ariport within the District. For the purpose of this section, the term ‘construct and establish’ shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises

acquired, which are deemed necessary for the construction and use of runways, terminal buildings, maintenance shops, service establishments, and any and all facilities incident or in anywise appurtenant to an airport facility and all machinery and equipment needed therefor, payments to contractors, laborers or others for work done or material furnished, financing charges, interest incurred in connection therewith, cost of engineering services, architectural services, legal services, legal and engineering expenses, plans, specifications, surveys, projections, drawings, brochures, administrative expenses and such other expenses as may be necessary or incident to the construction and operation of an airport facility within the District whether heretofore or hereafter incurred for the purposes for which the district is created. All or any general obligation bonds issued pursuant to this paragraph shall conform to the following specifications and be subject to the following procedures:"

SECTION 3. Paragraph 16 (f), Section 4 of Act 99 of 1959 amended—payment further.—Paragraph 16 (f) of Section 4 of Act No. 99 of the Acts of 1959 is amended by adding at the end thereof the following:

"In addition to the fund created by the levy of ad valorem taxes as herein provided, there shall be applied to the payment of principal and interest of said bonds all funds received by the Commission from the Federal Aviation Agency and the United States Weather Bureau as rental for the Air Traffic Control Tower to be constructed at the Commission's airport and all funds received by the Commission from the Federal Aviation Agency as a contribution toward the cost of real property acquired by the Commission for the purpose of constructing a runway or runways, and the Commission shall transmit to the State Treasurer all such funds promptly upon receipt thereof by the Commission, and the State Treasurer shall inform the Comptroller General of the receipt of said funds so that he may take them into account in fixing the amount of ad valorem taxes to be levied for the payment of principal and interest of the bonds."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R879, S595)

No. 780

An Act To Amend Act No. 127 Of The Acts Of 1959 Relating To The Equalization Of Payments By Greenville And Spartanburg Counties For The Construction And Operation Of The Greenville-Spartanburg Airport By Eliminating The Credit Of Ten Thousand Dollars To Spartanburg County On Account Of Loss Of Taxes On Lands Used In Constructing And Operating The Airport.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 127 of 1959 amended—tax to be equalized between Greenville and Spartanburg Counties.—Section 1 of Act No. 127 of the Acts of 1959 is amended by striking the proviso at the end thereof which reads as follows: "*Provided*, however, in making said adjustment in any year, Spartanburg County shall be entitled to a credit of ten thousand dollars due to the loss of taxes on lands used in said airport facility." The section when amended shall read as follows:

"Section 1. During each year in which an ad valorem tax is levied on the property within the Greenville-Spartanburg Airport District, the commission of said district shall determine the total amount realized from such tax and notify the treasurer of that county, paying to the Comptroller General less than that turned over to said Comptroller General by the other county. Thereupon such treasurer shall, from the general funds of his county, pay to the treasurer of the other county, to be placed in the general funds, such amount as shall be necessary to equalize the amount contributed by each county."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R883, H1432)

No. 781

An Act To Prohibit A Tenant From Abandoning And Leaving A Building Open And Exposed To Vandalism Without Notice, And To Provide Penalties For Violations.

Be in enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to abandon buildings without notice.—Any tenant abandoning a building and leaving it open and exposed

to vandalism without giving notice to the landlord of such action shall be deemed guilty of a misdemeanor and shall, upon conviction, be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R884, H2087)

No. 782

An Act To Provide The Time When The Councilmen And The Mayor Of The City Of Myrtle Beach In Horry County Shall Be Elected And Take Office.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Election and terms of mayor and councilmen for Myrtle Beach.—Notwithstanding the provisions of Section 47-577, Code of Laws of South Carolina, 1952, the two councilmen to succeed the present councilmen of the City of Myrtle Beach in Horry County whose terms expire in 1963 shall be elected on the first Tuesday after the first Monday in November of 1963, and shall take office on January 1, 1964. Successors to the present councilmen whose terms expire in 1965 and the mayor shall be elected on the first Tuesday after the first Monday in November of 1965, and shall take office on January 1, 1966. Thereafter elections for successors to the councilmen and the mayor of the City of Myrtle Beach shall be held on the first Tuesday after the first Monday in November of each odd numbered year to take office on January first of the following year.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R888, H2152)

No. 783

An Act To Amend Section 58-1404, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Certain Exemptions From The Provisions Of Law Relating To The Operation Of Vehicles For Hire, So As To Include Among The Exemptions Any Vehicle Engaged In Hauling Wrecked Vehicles.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 58-1404, 1952 Code, amended—certain vehicles exempt from law relating to operation of vehicles for hire.—Section 58-1404, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof the following: “, or any vehicle engaged in the business of hauling, towing, or transporting wrecked or damaged vehicles by means of transport commonly known as ‘wreckers’.” The section when amended shall read as follows:

“Section 58-1404. Nothing in Article 1 to 6 of this chapter shall apply to motor vehicles while used exclusively for transporting persons to and from schools, Sunday schools, churches or religious services, or to or from picnics or upon special prearranged excursions, or to the United States mail carriers operating star routes, while engaged solely in carrying mail, or to farmers or dairymen hauling dairy or farm products, or to any other person engaged in hauling perishable products of the farm or dairy products for hire from the farm to the first market when sold in South Carolina, or to lumber haulers engaged in transporting lumber and logs from the forest to the shipping points in this State, or any vehicle engaged in the business of hauling, towing, or transporting wrecked or damaged vehicles by means of transport commonly known as ‘wreckers’.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R889, H2154)

No. 784

An Act To Provide For Unincorporated Professional Associations, To Prescribe Their Powers, Duties And Limitations, And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Citation of act.—This act may be cited as “The South Carolina Professional Association Act.”

SECTION 2. Definitions.—Definitions :

(a) “Professional Service” means any type of professional service which may be legally performed only pursuant to a license from a State Examining Board pursuant to the provisions of Title 56, Code of Laws of South Carolina, 1952, for example, the personal services rendered by attorneys at law, certified public accountants, chiropractors, dentists, osteopaths, physicians and surgeons, and podiatrists.

(b) “Professional Association” means an unincorporated association, as distinguished from a partnership, organized under this act for the purpose of rendering one type of professional service.

SECTION 3. Professional associations may be formed.—Any one or more persons duly licensed to practice a profession and render professional service under the laws of this State may form a professional association, as distinguished from a partnership and a corporation, by associating themselves for the purpose of carrying on a profession and dividing the gains therefrom upon compliance with the terms of this act; *provided*, that no professional association organized pursuant to the provisions of this act shall render professional service in more than one type of professional service.

SECTION 4. Articles of Association to be filed with clerk of court.—Qualified persons may form a professional association by executing and recording Articles of Association in the office of the clerk of court in the county in which the association’s principal office is located. The clerk shall record the Articles of Association and any amendments thereto or instruments of dissolution thereof in a separate book to be kept for that purpose. The clerk of court shall receive as fees for recording any original Articles of Association or amendments thereto the sum of five dollars plus fifteen cents for each one hundred words contained in the particular document recorded. The Articles of Association shall not be required to be published or recorded elsewhere. The record of the Articles of Association, when so recorded, shall be notice of the provisions of the Articles to the world as well as to all parties dealing with the association. The persons forming the professional association shall adopt a suitable name for the association. *Provided*, that the name selected shall be followed by the words “Professional Association” or the abbreviation

"P.A.". The Articles of Association may contain any provision not in violation of law or the public policy of this State as the members of the association may decide. The Articles may be amended or dissolved at any time by agreement of two-thirds of the members at any regular meeting or at a special meeting called for that purpose. The amendment or instrument of dissolution shall be recorded in the same place as the original Articles of Association.

SECTION 5. One purpose—investment of funds.—A professional association may be organized only for the purpose of rendering one specific kind of professional service and shall not engage in any business other than rendering the professional service for which it was organized. However, it may invest its funds in real estate, mortgages, stocks, bonds, or any other type of investment, and may own real or personal property necessary or appropriate for rendering its professional service.

SECTION 6. Only professionals to render services.—A professional association may render professional service only through officers, employees, and agents who are themselves duly licensed or otherwise legally authorized to render professional service within this State. The term "employee" as used in this section does not include clerks, bookkeepers, technicians, nurses, or other individuals who are not ordinarily considered by custom to be rendering professional services for which a license or other legal authorization is required in connection with the profession practiced by a particular professional association, nor does the term "employee" include any other person who performs all his employment under the direct supervision and control of an officer, agent, or employee who is himself rendering professional service to the public on behalf of the professional association. No person shall, under the guise of employment, practice a profession unless duly licensed to practice that profession under the laws of this State.

SECTION 7. Act not to change present laws.—This act does not modify any law applicable to the relationship between a person furnishing professional service and a person receiving such service, including liability arising out of the professional service, and including the confidential relationship between the person rendering the professional service and the person receiving the professional service, and all confidential relationships previously enjoyed under the laws of this State or hereinafter enacted shall remain inviolate. Subject

to the foregoing provisions of this section, the members or shareholders of any professional association organized pursuant to the provisions of this act shall not be individually liable for the debts of, or claims against, the professional association unless such member or shareholder has personally participated in the transaction for which the debt or claim is made or out of which it arises.

SECTION 8. To be governed by Board of Governors.—A professional association organized pursuant to the provisions of this act shall be governed by a Board of Governors elected by the members or shareholders, and represented by officers elected by the Board of Governors, so that centralization of management will be assured, and no member shall have the power to bind the association within the scope of the association's business or profession merely by virtue of his being a member or shareholder of the association. Members of the Board of Governors need not be members or shareholders of the professional association and officers need not be members of the Board of Governors except that the president shall be a member of the Board of Governors. No officer or member of the Board of Governors who is not duly licensed to practice the profession for which the professional association was organized shall participate in any decisions constituting the practice of the profession. The members may adopt such bylaws as they deem proper, or the power to promulgate bylaws of the association may be delegated by the Articles of Association to the Board of Governors of the professional association, as the members or shareholders may decide. Each member or shareholder shall have the power to cast votes at the meeting of the members or shareholders as the Articles of Association shall provide. The officers of the professional association may employ agents or employees of the association as they may deem advisable subject to the provisions of Section 6. The Board of Governors of the Association shall elect a president and such other officers as it may determine.

SECTION 9. Continuation of association.—Unless the Articles of Association expressly provide otherwise, a professional association shall continue as a separate entity independent of its members or shareholders, for all purposes for such period of time as provided in the Articles, or until dissolved by a vote of two-thirds of the members, and shall continue notwithstanding the death, insanity, incompetency, conviction for felony, resignation, withdrawal, transfer of membership or ownership of shares, retirement, or expulsion of any one or more

of the members or shareholders, the admission of or transfer of membership or shares to any new member or shareholder, or the happening of any other event, which under the laws of this State and under like circumstances, work a dissolution of a partnership. It is the full intent of this section that the professional association shall have continuity of life independent of the life or status of its members or shareholders. No member or shareholder of a professional association shall have the power to dissolve the association by his independent act of any kind.

SECTION 10. Association may be stock or non-stock organization.—A professional association organized pursuant to the provisions of this act may issue stock or certificates of evidence of ownership of an interest in the assets of the professional association to the members of a stock-type association, or the association may be a non-stock organization with the members owning no individual interest in the assets of the association but with the rights and duties specified in the Articles of Association, or the association may be a non-stock organization with the members owning undivided interests in the assets of the association according to the Articles of Association. The stock or certificates of ownership, if a stock-type association, or a membership in a non-stock association, shall be freely transferable except as may be lawfully restricted in the Articles of Association. A profession association may issue its capital stock if it is a stock-type association or accept as members of the professional association, if a non-stock association, only persons who are duly licensed or otherwise legally authorized to render the same professional service as that for which the professional association was organized. Subject to the provisions of the Articles of Association, the estate of a member or shareholder who was a person duly licensed or otherwise legally authorized to render the same professional service as that for which the professional association was organized may continue to hold stock or membership pursuant to the Articles of Association for a reasonable time during the administration of the estate, but shall not be authorized to participate in any decisions concerning the rendering of professional service.

SECTION 11. Disqualified professionals to sever relations with association.—If any member, shareholder, agent, or employee of a professional association becomes legally disqualified to render a professional service within this State, or accepts employment or is elected to a public office that pursuant to existing law is a restriction

or limitation upon rendering of professional service, he shall sever all employment with, or financial interest in, the professional association forthwith. A professional association's failure to comply or require compliance with this provision shall be a ground for the forfeiture of its right to render professional service as a professional association pursuant to the provisions of this act. When a professional association's failure to comply with this provision comes to the attention of the Secretary of State he shall take appropriate action to dissolve the professional association.

SECTION 12. Purchase of shares or membership of former member.—If the Articles of Association or bylaws of a professional association fail to fix a price at which a professional association or its members or shareholders may purchase the membership or shares of a deceased, retired, expelled, or disqualified member or shareholder, and if the Articles of Association or bylaws do not otherwise provide, then the price for these shares or membership shall be the book value of the shares or membership at the end of the month immediately preceding the death of or disqualification of the member or shareholder. Book value shall be determined by an independent certified public accountant employed for this purpose, from the books and records of the professional association by the regular method of accounting employed by the professional association. The determination by the certified public accountant of book value shall be conclusive on the professional association and its members or shareholders.

SECTION 13. Report to be filed with Secretary of State.—A professional association shall, within thirty days after the organization of the professional association pursuant to the provisions of this act and within thirty days after the first day of November in each year thereafter, furnish a statement to the Secretary of State showing the names and post office addresses of all members or shareholders in the professional association and shall certify that all members or shareholders are duly licensed or otherwise legally authorized to render professional service in this State. This report shall be made on the form which shall be prescribed and furnished by the Secretary of State. It shall be signed by the president of the professional association, and acknowledged and sworn to before a notary public by the person signing the report, and shall be filed in the office of the Secretary of State, together with a filing fee in the amount of one dollar. Upon the failure or refusal of any professional association

to make the return or report to the Secretary of State, the professional association shall be liable for a penalty of fifty dollars, and the Secretary of State is authorized to issue his execution therefor, including all costs incurred.

SECTION 14. Sale of membership or shares.—A member or shareholder of a professional association may sell or transfer his membership or shares in such professional association only to another individual who is duly licensed or otherwise legally authorized to render the same professional services as that for which the association was organized.

SECTION 15. Dissolution—application of assets.—In the event of dissolution of a stock-type professional association, the Board of Governors, as trustees of the property of the professional association, shall apply the assets first to the payment of debts of the association, and secondly, to the holders of the stock as provided in the Articles of Association. In the event of dissolution of a non-stock type association, the assets shall be distributed, or sold, and the net proceeds distributed first to the payment of debts of the association, and secondly, to the members of the association as the Articles of Association shall provide.

SECTION 16. Powers.—A professional association organized pursuant to the provisions of this act may contract in its own name, and further may take, hold, and sell real and personal property in its own name, independent of its members, and may sue and be sued as independent entities. Any conveyance in the name of the professional association to a third person executed by the president shall be conclusively presumed to be properly executed and shall divest all right, title, and interest of the professional association, its members, and the Board of Governors thereof. The assets of a professional association shall not be liable to attachment for the individual debts of its members or shareholders.

SECTION 17.—Corporation laws to govern.—Such professional association organized pursuant to the provisions of this act shall be governed generally by all laws applicable to corporations and not in conflict herewith, and no such association shall be held or deemed to be a partnership nor shall the association be governed by laws relating to partnerships.

SECTION 18. Saving clause.—Should any provision of this act be held illegal or unconstitutional, it shall not vitiate the remaining

provisions of this act, but all such provisions not held illegal or unconstitutional shall remain in full force and effect.

SECTION 19. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R890, H2172)

No. 785

An Act To Create The South Carolina State Board Of Examiners For Registered Sanitarians; To Provide For Its Membership, Powers And Duties; To Provide For And Require The Licensing Of Persons Engaged In The Field Of Environmental Sanitation; And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Board of Examiners for Registered Sanitarians.—There is hereby created the South Carolina State Board of Examiners for Registered Sanitarians to safeguard the life, health and property of the citizens of this State.

SECTION 2. Definitions.—When used in this act, the terms listed below shall have the following meaning:

(1) "Board" means the South Carolina State Board of Examiners for Registered Sanitarians.

(2) "Sanitarian" means a person trained and qualified to carry out educational, inspectional, and supervisory duties in the field of general environmental sanitation or any of its specialized programs.

(3) "Registered Sanitarian" means a sanitarian registered in accordance with the provisions of this act.

(4) "Sanitarian-in-Training" means a graduate of an accredited four-year college or university, or one who has satisfactorily passed the Graduate Record Examination or similar general education examination and who is pursuing an environmental sanitation study program approved by the board, but lacks the qualifications required for registration as a registered sanitarian.

(5) "Certificate of Registration" means a serially numbered document issued by the board certifying that the person named therein has been duly registered by the board as a registered sanitarian, containing the name of the person registered and the date of registration, and authenticated by such signatures as determined by the board.

SECTION 3. Board to administer act—appointments—terms—vacancies.—The board shall administer the provisions of this act and shall consist of four members appointed by the Governor, one of whom shall be the State Health Officer or his designated representative, and three sanitarians who shall be qualified by education and experience to be registered sanitarians in compliance with this act. *Provided*, that on and after January 1, 1963, each sanitarian member appointed by the Governor shall be a registered sanitarian. Of the initially appointed sanitarian members of the board, one shall be appointed to serve for a term of three years, one for a term of two years, and one for a term of one year. All subsequent appointments shall be for three-year terms. Each appointed member shall hold office until the expiration of the term for which he is appointed, or until his successor is appointed and qualifies. Vacancies in the membership of the board shall be filled for the unexpired term by appointment of the Governor as provided herein. The Governor may remove any member of the board for sufficient cause.

SECTION 4. Meetings—officers.—The board shall meet at least once each year and at such other times as its by-laws provide. A quorum for such meetings shall consist of three members. At its initial meeting, the board shall elect from its membership a chairman, a vice-chairman and a secretary to serve for one-year terms. The board shall have the power to adopt by-laws and rules of procedure which may be reasonably necessary to perform its duties.

SECTION 5. Employ personnel—expenditures.—The board may employ such clerical or other assistants as are necessary for the proper performance of its work and make expenditures of its funds for any purpose which in the opinion of the board is reasonably necessary for the proper performance of its duties under this act, including compensation of the secretary of the board and the premium on the secretary's bond.

SECTION 6. Secretary—bond—duties.—The secretary of the board shall give bond to the State, in such sum as determined by

the board, to be approved by the State Treasurer for the faithful performance of all the duties required of him under the law during his term of office. He shall receive and account for all monies derived under the provisions of this act and shall pay such monies to the State Treasurer, who shall keep such monies in a separate fund, to be known as the Fund of the South Carolina State Board of Registered Sanitarians. Such monies shall be paid out only by vouchers regularly drawn by the chairman and secretary of the board. Under no circumstances shall the total amount of warrants issued by the Comptroller General in payment of the expenses and compensation provided for in this act exceed the amount collected as herein provided.

The secretary shall also keep a record of the board's proceedings and a register of all applications for certificates of registration and permits for sanitarians-in-training which shall show:

- (a) the name, age, and residence of each applicant;
- (b) his educational and other qualifications;
- (c) whether an examination was required;
- (d) whether the applicant was rejected;
- (e) whether a certificate of registration was granted;
- (f) the date of the action of the board; and
- (g) other information as may be deemed necessary by the board.

The records of the board shall be prima facie evidence of the proceedings of the board set forth therein and a transcript thereof, duly certified by the secretary under seal, shall be admissible in evidence with the same force and effect as if the original were produced.

SECTION 7. Requirement for registration.—Minimum requirements for registration shall be as follows:

- (a) The board shall issue a certificate of registration without examination to any person applying prior to January 1, 1963 who, on June 30, 1962, was gainfully employed as a sanitarian.
- (b) All other applicants for a certificate of registration must,
 - (1) have a minimum of one year's experience in the field of environmental sanitation; and
 - (2) have satisfactorily completed an approved program of study in environmental sanitation. The qualifications relating to experience and study in environmental sanitation shall be subject to approval by the board. The program of study shall be under the auspices of a college or university or State or Federal public health agency.

SECTION 8. Application for certificate or permit—fee.—Any person desiring to be registered as a sanitarian, or issued a permit as a sanitarian-in-training, may make application on a form prescribed and furnished by the board, accompanied by such fee as specified by the board, such fee not exceeding twenty-five dollars. The board shall examine all applications and qualified applicants, and issue certificates as registered sanitarians, or permits for sanitarians-in-training, to those deemed by the board to be qualified.

SECTION 9. Renewal fee.—Every holder of a certificate of registration, or permit, as a sanitarian-in-training, who desires to continue the practice of his profession shall annually, during the month of June, pay to the secretary of the board, a renewal fee in such amount as may be prescribed by the board, not to exceed five dollars. For such fee a renewal registration card for the ensuing year, July 1 to June 30, shall be issued by the secretary of the board.

SECTION 10. Reciprocity with other states.—Reciprocity with those states having an act for the registration of sanitarians whose provisions are equivalent as determined by the board, may be entered into by the board under such appropriate by-laws and rules of procedure as may be prescribed by the board.

SECTION 11. Revocation of certificates or permits.—The board may suspend or revoke the certificate of registration of a sanitarian or the permit for a sanitarian-in-training who in its opinion has committed:

- (a) Any fraud or deceit in obtaining such a certificate or permit;
- (b) Any act of gross negligence, incompetency or misconduct in the performance of any duties authorized by such certificate or permit; or
- (c) Any crime involving moral turpitude.

SECTION 12. Certificate or permit required commencing 1963.—After January 1, 1963, it shall be unlawful for any person to practice as a "Registered Sanitarian," or a "Sanitarian-in-Training" unless the person so practicing has fully complied with the provisions of this act and has been issued a current certificate of registration or permit as a sanitarian-in-training.

SECTION 13. Penalties.—Any person violating the provisions of this act shall, upon conviction, be deemed guilty of a misdemeanor and shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 14. Saving clause.—If any part of this act shall be held unconstitutional, it shall not affect the validity of the remainder of the act.

SECTION 15. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R892, H2206)

No. 786

An Act To Amend Section 8-224, Code Of 1952, Relating To Participation In Certain Loans By State Banks So As To Provide That Such Participation May Be With Any Agency Of The United States Authorized To Make Direct Loans.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 8-224, 1952 Code, amended—limitations not to apply to loans with certain agencies of the United States.—Section 8-224, Code of 1952, is amended by striking out on line 2 the words “the Reconstruction Finance Corporation” and inserting in lieu thereof the following: “any agency of the United States authorized to make direct loans” so that when amended the section shall read as follows:

“Section 8-224. The limitations imposed by Sections 8-221 to 8-223 shall not apply to any loan made in participation with any agency of the United States authorized to make direct loans or with any Federal reserve bank. And upon written approval of the State Board of Bank Control the restrictions imposed by said sections as to loan maturities may be extended to such extent and under such conditions as the Board may fix.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R893, H2252)

No. 787

An Act To Amend Section 71-114, Of The 1952 Code, As Amended, Relating To The Exemption Of Certain Earned Income Of Blind Persons In Establishing Eligibility For Public Assistance, So As To Increase Such Exemption.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 71-114, 1952 Code, amended—county department to determine amount of assistance.—Section 71-114 of the 1952 Code, as amended, is further amended by striking the words “fifty dollars a month of earned income” and inserting in lieu thereof the following: “eighty-five dollars a month of earned income, plus one-half of earned income in excess of eighty-five dollars per month”. The section when amended shall read as follows:

“Section 71-114. Within available appropriations and subject to the rules and regulations of the state department, the amount of assistance which any person shall receive shall be determined by the county department after making such investigation as is necessary or required by the state department. The investigation shall be made with due regard to the resources, necessary expenditures, and other pertinent conditions existing in the case of each applicant. In making the investigation the first eighty-five dollars a month of earned income, plus one-half of earned income in excess of eighty-five dollars per month shall not be considered. The amount of assistance given shall be sufficient, when added to other income and means of support of the recipient, to provide such person with a reasonable subsistence compatible with decency and health.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R895, H2297)

No. 788

An Act To Require Any Laboratory Performing A Positive Laboratory Test For Venereal Disease To Make A Report Of Any Such Test And To Cooperate With Certain Agencies In Preventing The Spread Of Such Disease.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Venereal disease tests to be reported.—Any laboratory performing a positive laboratory test for venereal disease shall make a report of such case or positive laboratory test for venereal disease to the State Board of Health in such form and manner as the State Board of Health shall direct, and shall cooperate with the State Board of Health and local boards of health in preventing the spread of venereal diseases.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R896, H2305)

No. 789

An Act To Amend Section 8-224 Of The 1952 Code Relating To The Nonapplicability Of Restrictions On Loans Made By Certain Institutions And The Extension Of Loan Maturity, So As To Provide That Loans Made To Persons For Purposes Of Obtaining Higher Education Shall Not Be Subject To Limitations Imposed By Sections 8-221 To 8-223 Of The 1952 Code, To Authorize Minors To Enter Into Contracts For Such Loans And To Provide That Lending Agencies May Proceed In Civil Actions Against Minors Who Obtained Loans For Higher Education.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 8-224, 1952 Code, amended—limitations not to apply to loans with certain agencies of the United States or to persons obtaining higher education.—Section 8-224 of the 1952 Code is amended by adding after the first sentence the following: "These limitations shall not apply to any loan made to persons for the purpose of obtaining higher education, however, the first payment on any such loan shall be made not later than four years from the date of completion of the course of higher education for which the loan was made.", so that when amended the section shall read as follows:

"Section 8-224. The limitations imposed by Sections 8-221 to 8-223 shall not apply to any loan made in participation with the Reconstruction Finance Corporation or with any Federal reserve bank.

These limitations shall not apply to any loan made to persons for the purpose of obtaining higher education, however, the first payment on any such loan shall be made not later than four years from the date of completion of the course of higher education for which the loan was made. And upon written approval of the State Board of Bank Control the restrictions imposed by said sections as to loan maturities may be extended to such extent and under such conditions as the Board may fix."

SECTION 2. Minors may borrow money for higher education.

—Notwithstanding any other provisions of law to the contrary, any person who, not having attained his majority, contracts to borrow money to defray the expenses of attending any institution of higher learning, shall have full legal capacity to act in his own behalf and shall have all the rights, powers and privileges and be subject to the obligations of persons of full age with respect to any such contracts.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R897, H2334)

No. 790

An Act To Regulate The Operation Of Motorboats On Langley Lake In Aiken County And To Provide Penalties For Violations Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain operation of motorboats on Langley Lake unlawful.—The operation of motorboats upon the waters of Langley Lake in Aiken County with exhausts, mufflers or cut-outs open or by any other method or means whereby disturbing, excessive and useless noises are produced by such operation is declared a public nuisance and is hereby forbidden except on legal holidays. Any person who violates the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or be imprisoned for not exceeding thirty days. All fines collected under the provisions of this act shall be paid to the treasurer of Aiken County who shall deposit such funds to the credit of the school district in which Langley Lake is situated.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R900, H2389)

No. 791

An Act To Provide For The Expenditure Of Certain Funds Derived From Tax Levy On Boats In Anderson County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Use of proceeds from Anderson County boat tax.—The funds derived from the general tax levy on boats in Anderson County shall be placed in a separate fund and expended with the approval of a majority of the legislative delegation, including the Senator, for the promotion of boating, boat safety, water sports and fishing.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R901, H2390)

No. 792

An Act To Transfer The Area Included In The Old Prospect School District No. 54 In Florence County From The Lake City Magisterial District To The Johnsonville Magisterial District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Area in Florence County transferred from Lake City Magisterial District to Johnsonville District.—Notwithstanding any provision of law to the contrary that area in Florence County known as old Prospect School District No. 54 is hereby transferred from the Lake City Magisterial District to the Johnsonville Magisterial District.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R903, H2425)

No. 793

An Act To Amend Sections 47-950 And 47-951, Code Of Laws Of South Carolina, 1952, Relating To The Deposit And Withdrawal Of Sinking Funds By The City Of Greenville, So As To Provide That Such Funds May Be Deposited In Savings And Loan Or Building And Loan Associations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-950, 1952 Code, amended—deposit of sinking funds by City of Greenville.—Section 47-950, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following :

“Section 47-950. All sinking funds levied and collected by the city of Greenville for retirement and payment of bonds of the city or for any other purpose whatsoever shall be turned over to the commission and deposited by it, at interest, in reliable banks or savings and loan or building and loan associations of the city, selected by the commission, subject to the approval of city council.”

SECTION 2. Section 47-951, 1952 Code, amended—withdrawal of sinking funds by City of Greenville.—Section 47-951, Code of Laws of South Carolina, 1952, is amended by striking out the first sentence and inserting in lieu thereof the following: “No such funds shall be withdrawn except by vouchers signed by both the chairman and secretary of the commission.” The section when amended shall read as follows :

“Section 47-951. No such funds shall be withdrawn except by vouchers signed by both the chairman and secretary of the commission. With the approval of city council the funds may be invested, however, by the commission in State, county or municipal bonds or in a note or notes of the city bearing interest at five per cent per annum, when executed in the manner and form and for the purpose specified under Section 47-275, *provided*, that during any year when the city borrows from the sinking fund commission on tax anticipation notes the aggregate borrowings of the city on such notes for that year shall not exceed eighty per cent of the total taxes levied during the preceding year.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R904, H2430)

No. 794**A Joint Resolution To Provide For The Staggering Of The Terms Of Office Of The Members Of The Anderson County Library Board.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of members of Anderson County Library Board.—Notwithstanding any other provision of law to the contrary, the terms of the members of the Anderson County Library Board next appointed shall be as follows: School Districts Nos. 1 and 3, two years; one of the members of School District No. 5, two years; School Districts Nos. 2 and 4, four years; and two of the members of School District No. 5 for four years; thereafter, all terms shall be for four years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R905, H2441)

No. 795**An Act To Amend Section 1 Of Act No. 297 Of The Acts Of 1959, As Amended, Relating To The Board Of Review For Tax Assessments In Berkeley County, So As To Further Provide For Membership On The Board.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 297 of 1959 amended—Board of Review for Tax Assessments created in Berkeley County—members and officers.—Section 1 of Act No. 297 of the Acts of 1959, as last amended by an act of 1962 bearing ratification No. 719, is further amended by adding in line 5 between the word “County” and “and” the following: “, the Chairman of the Forestry Board of Berkeley County, the President of the Berkeley County Farm Bureau”, so that when amended the section shall read as follows:

“Section 1. There is hereby created a Board of Review for Tax Assessments in Berkeley County. The board shall be solely composed of the following ex officio members: the mayors of all incorporated municipalities in Berkeley County, the chairman of any public

service district in Berkeley County, the Chairman of the Forestry Board of Berkeley County, the President of the Berkeley County Farm Bureau and the Chairman of the Berkeley County Development Board. The board shall elect such officers and adopt such methods of procedure as it deems necessary for carrying out its functions."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R906, H2444)

No. 796

An Act To Exempt The Property Of The Brewerton Masonic Lodge No. 183 In Laurens County From County Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Brewerton Masonic Lodge in Laurens County exempt from taxes.—The property of the Brewerton Masonic Lodge No. 183 in Laurens County is hereby exempt from county taxes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R909, H2464)

No. 797

An Act To Amend Section 21-3405 Of The 1952 Code, Relating To Payment Of Insurance Premiums On Property In Lexington County School Districts, So As To Revise The Method Of Payment Of Such Premiums..

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-3405, 1952 Code, amended—payment of insurance premiums by Lexington County School Districts.—Section 21-3405 of the 1952 Code is amended by striking out the section in its entirety and inserting in lieu thereof the following: "Section 21-3405. The chairman of the board of trustees in the respective school districts of Lexington County shall draw his war-

rant, subject to the approval by the district board of trustees and the superintendent of education, payable to the State Budget and Control Board for the payment of premiums due the board for fire and tornado insurance. Warrants so drawn shall be charged against the funds of the respective school district for which the insurance is obtained."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R910, S591)

No. 798

An Act To Create The Sumter County Commission For Technical Education And Training And To Define Its Functions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Section 23 of Act 323 of the Acts of 1961, a program looking to the establishment of adequate vocational and technical educational facilities in the State, intended to coordinate with the industrial expansion of South Carolina, was instituted on a basis requiring cooperation between the State agency therein created and counties or areas within the State. It is specifically required therein that in order for any county or area to comply with the program and thus to receive the benefits of the program, it must make available, and operate adequate facilities, and at the same time provide for adequate local supervision.

SECTION 2. Sumter County Commission for Technical Education created.—There is hereby created, as an administrative agency of Sumter County a commission, to be known as the "Sumter County Commission for Technical Education" (hereinafter referred to as the "Commission"), which shall consist of five qualified registered electors of Sumter County. All appointments to office of the Commission shall be made by the Governor, upon the recommendation of a majority of the legislative delegation, including the Senator, from Sumter County. Of those first appointed, one shall have a term of one year, one shall have a term of two years, one shall have a term of three years, and two shall have terms of four years. Upon

the expiration of the terms of office of those first appointed, successors shall be appointed for terms of four years in the same manner as those originally appointed. If any vacancy shall arise, a successor shall be appointed by the Governor for the balance of the unexpired term in the same manner as the original appointments were made. The members of the Commission shall hold office until their successors shall have been appointed and shall qualify. All terms of office shall terminate on the appropriate anniversary of the effective date of this act, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon as the initial appointments have been made, the Commission shall organize by electing one of its members as Chairman, another as Vice-Chairman, and a third as Secretary. A transcript of the record of the initial organization shall be filed with the Clerk of Court of Sumter County in order to reflect the initial membership of the Commission and those who shall become its officers.

SECTION 3. Duties.—The Commission shall be responsible for a full and exhaustive study looking to the development and implementation of an adequate vocational and technical training program, which shall include, but not be limited to, the following: a program coordinated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries. The committee, in carrying out this program, shall cooperate with all State and Federal agencies designed to further technical education.

SECTION 4. Powers and duties.—When funds are appropriated by the General Assembly the Commission is authorized and empowered to do all things necessary or convenient to promote the objects of the program instituted by Section 23 of Act 323 of 1961, and without in any way limiting the generality of the foregoing, shall be empowered as follows:

- (1) to adopt and use a corporate seal;
- (2) to adopt such bylaws, rules and regulations for the conduct of business and the expenditure of appropriated funds as it may deem advisable;
- (3) when funds are made available by the General Assembly, to acquire a site within Sumter County and to construct and equip thereon appropriate facilities in accordance with the standards and specifications promulgated by the State Advisory Committee established by Section 23 of Act 323 of 1961;

(4) to acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property;

(5) to accept gifts, grants, donations, devises and bequests;

(6) to provide appropriate supervision of the maintenance of any facility established to promote vocational or technical education;

(7) to provide the necessary administrative services required by the State program;

(8) to employ such personnel as may be necessary to enable the Commission to fulfill its functions;

(9) to establish, promulgate and enforce reasonable rules and regulations, in conjunction with those promulgated by the State agency, for the operation of its facilities;

(10) to operate its affairs on a fiscal year coinciding with that of Sumter County;

(11) to expend any funds received in any manner, including the proceeds derived from any bonds which may be issued by Sumter County to defray any costs incident to the establishment of adequate facilities for the program, and thereafter to expend such funds as may be appropriated for the operation, maintenance and improvement of the facilities;

(12) to apply for, receive, and expend moneys from all governmental agencies, both State and Federal;

(13) to exercise all powers contemplated for local agencies by Section 23 of Act 323 of 1961, and all other laws modifying, amending or implementing it.

SECTION 5. Records and audit.—The Commission shall at all times keep full and accurate account of its acts and of its receipts and expenditures, and at least once within four months, following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the audit shall be filed with the Clerk of Court for Sumter County and with the Secretary of the Sumter County Legislative Delegation.

SECTION 6. Report.—Not less frequently than annually the Commission shall make a written report of the activities of the Commission and file a copy with the Secretary of the Sumter County Legislative Delegation.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R911, S610)

No. 799

An Act To Provide For A South Carolina Police Officers Retirement System.

Whereas, the law enforcement agencies of the State are becoming increasingly important; and

Whereas, the necessity for attracting worthwhile individuals to a career as police officers is growing in importance; and

Whereas, the physical qualifications for the services of police officers require an earlier retirement age than other employees of the State; and

Whereas, the dangerous character of their services justifies higher retirement benefits than they now receive; and

Whereas, it is deemed essential that retirement benefits be provided through an actuarially sound retirement system. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meaning :

(1) "System" shall mean the South Carolina Police Officers Retirement System.

(2) "State" shall mean the State of South Carolina.

(3) "Board" shall mean the State Budget and Control Board which shall act under the provisions of this chapter through its division of personnel administration.

(4) "Medical board" shall mean the board provided for in Section 3.

(5) "Employer" shall mean (a) the State, and (b) any political subdivision, agency or department of the State which employs police officers and which shall have been admitted to the system as provided in Section 4.

(6) "Police officer" shall mean any person who receives his salary from an employer and who is required by the terms of his employment, either by election or appointment, to give his time to the preservation of public order, the protection of life and property and the detection of crimes in the State. In all cases of doubt the board shall determine whether any person is a police officer as defined herein.

(7) "Member" shall mean any police officer included in the membership of the system, as provided in Section 4 hereof.

(8) "Service" shall mean service as a police officer rendered to any paid employer.

(9) "Credited service" shall mean service for which credit is allowable as provided in Section 5 hereof.

(10) "Retirement allowance" shall mean monthly payments for life under the system payable as provided in Section 13 hereof.

(11) "Beneficiary" shall mean any person in receipt of a retirement allowance or other benefit as provided by the system.

(12) "Other fund" shall mean (a) the South Carolina Retirement System or (b) the Police Insurance and Annuity Fund of the State of South Carolina.

(13) "Aggregate contributions" shall mean the sum of all the amounts deducted from the compensation of a member and credited to his individual account in the system, including any amounts transferred from an other fund to the system as provided in Section 14 hereof.

(14) "Regular interest" shall mean interest compounded annually at such rate as shall be determined by the board in accordance with Section 3.

(15) "Accumulated contributions" shall mean the member's aggregate contributions, together with regular interest thereon.

(16) "Actuarial equivalent" shall mean a benefit of equal value when computed on the basis of the tables and regular interest rate last adopted by the board, as provided in Section 3.

(17) "Date of establishment" shall mean July 1, 1962.

SECTION 2. S. C. Police Officer's Retirement System created.

—A retirement system is hereby created and placed under the administration of the board to provide retirement allowances and other benefits for police officers. The system shall begin operation as of July 1, 1962. It shall have the power and privileges of a corporation and shall be known as the South Carolina Police Officers Retirement System, and by such name all of its business shall be transacted, all of its funds invested, and all of its cash, securities and other property held.

SECTION 3. State Budget and Control Board to administer system—powers and duties.—

(1) The general administration and responsibility for the proper operation of the system and for making effective the provisions hereof are hereby vested in the State Budget and Control Board.

(2) The board shall designate a medical board to be composed of three physicians who are not members of the system. If required, other physicians who are not members of the system may be employed to report on special cases. The medical board shall arrange for and pass upon all medical examinations required under the system, shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the board its conclusions and recommendations upon all matters referred to it.

(3) The board shall engage such actuarial and other services as shall be required to transact the business of the system.

(4) The board shall designate an actuary who shall be the technical advisor of the board on matters regarding the operation of the system and shall perform such other duties as are required in connection therewith.

(5) At least once in each five-year period following the date of establishment, the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the system and shall make a valuation of the contingent assets and liabilities of the system and the board, after taking into account the results of such investigations and valuations, shall adopt for the system such mortality, service and other tables as shall be deemed necessary.

(6) On the basis of regular interest and tables last adopted by the board the actuary shall make an annual valuation of the contingent assets and liabilities of the system.

(7) The board shall keep in convenient form such data as shall be necessary for the actuarial valuation of the contingent assets and liabilities of the system and for checking the experience of the system.

(8) The board shall determine from time to time the rate of regular interest for use in all calculations, with the rate of four per cent per annum applicable unless changed by the board.

(9) Subject to the limitations hereof, the board shall, from time to time, establish rules and regulations for the administration of the system and for the transaction of business.

(10) The board shall keep a record of all its proceedings under this act which shall be open to public inspection. It shall publish an annual report showing the fiscal transactions of the system for the preceding year, the amount of the accumulated cash and securities of the system and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the contingent

assets and liabilities of the system. All persons employed by the board and the expenses of the board shall be paid from the annual general appropriations of the State.

SECTION 4. Application to become an employer—membership in system.—(1) Any county, municipality or other political subdivision of the State, and any agency or department thereof may, in its discretion, become an employer by applying to the board for admission to the system and by complying with the requirements hereof and the rules and regulations of the board. Such application shall set forth the requested date of admission, which shall be the January first, or the April first, or the July first, or the October first next following receipt by the board of such application, except that in the case of any applications so received prior to January 1, 1963 the requested date of admission may be July 1, 1962.

(2) In no event will admission as an employer be allowed unless a majority of all persons then employed as police officers by the prospective employer elect irrevocably to become members of the system as of the requested date of admission.

(3) All persons who become employed as police officers by the State or other employer after the employer's date of admission to the system under the provisions of this section shall become members, as a condition of their employment as of the first day of a calendar month coincident with or next following the date of employment.

(4) Notwithstanding any other provision of law, no person shall be eligible to participate in the system as a member and in an other fund nor shall any person be entitled to receive duplicate benefits for the same period of service.

(5) All persons who are employed as police officers by an employer at the date of the employer's admission to the system shall become members as of such dates unless, within a period of one month following such date, they shall have filed with the board on a form prescribed by the board a notice of their election not to be covered in the membership and a duly executed waiver of all present and prospective benefits which would otherwise inure to them on account of their participation in the system.

(6) Should any member of the system in any period of six consecutive years after becoming a member be absent from service as a police officer for an employer more than five years, or should he withdraw his aggregate contributions or die or retire under the provisions hereof, he shall thereupon cease to be a member; *provided*, that the

membership of any police officer entering the armed service of the United States shall be continued during such armed service if he does not withdraw his contributions, and such member shall be considered to have accrued service credit during such period in the armed services if he returns to service as a police officer for an employer within ninety days after first becoming eligible for a discharge from such armed service and if, within one year following such return, he makes the contributions which he would have made had he continued in service as a police officer during such period.

SECTION 5. Credited service of members.—(1) The credited service of a member shall include all service as a police officer rendered to an employer since he last became a member and in respect of which he made contributions to the system. It shall also include, in the case of a member who was, immediately prior to his becoming a member, a participant in an other fund, service which was credited to him under such other fund; provided that, within two months of the date of his membership, he shall have caused the amount of his full contributions made under such other fund in respect of such service to be transferred to the system.

(2) When membership ceases for any reason other than death or retirement, the service credited to the member shall be cancelled and, should the police officer again become a member, he shall enter the system as a police officer not entitled to credit for previous service.

SECTION 6. Retirement allowances.—(1) Any member who while in service shall have attained age fifty-five and who has five completed years of credited service shall be retired by the board on a service retirement allowance upon his written application therefor. The date of service retirement shall be the first day of a calendar month which occurs not less than thirty days subsequent to the filing thereof nor more than ninety days subsequent to his separation from service.

(2) Upon service retirement, the member shall receive a service retirement allowance which shall be equal to the sum of (a) and (b) below:

(a) A basic monthly retirement allowance determined in accordance with the following schedule, based upon the number of his completed years of credited service.

<i>Completed Years of Credited Service</i>	<i>Basic Monthly Allowance</i>
5	\$ 25
6	31
7	37
8	43
9	49
10	55
11	61
12	67
13	73
14	79
15	85
16	91
17	97
18	103
19	109
20	115
21	118
22	121
23	124
24	127
25	130
26	133
27	136
28	139
29	142
30 or more	145

(b) An additional monthly retirement allowance which is the actuarial equivalent of the member's accumulated additional contributions as set forth in Section 14 (1) (b).

SECTION 7. Retirement allowances further.—(1) Any member in service who has twenty completed years of credited service but has not attained age fifty-five shall be retired by the board on an early retirement allowance upon his written application therefor. The date of early retirement shall be the first day of a calendar month which occurs not less than thirty days subsequent to the filing thereof nor more than ninety days subsequent to his separation from service.

(2) Upon early retirement, the member shall be entitled to a deferred early retirement allowance commencing upon the attainment of age fifty-five; the deferred early retirement allowance shall be equal to the sum of (a) and (b) below:

(a) A basic deferred allowance which shall be equal to the basic service retirement allowance he would have received if he had remained in service and continued to contribute to the system at age fifty-five, reduced in the proportion which the number of his completed years of credited service at his early retirement date bears to the number he would have had if he had remained in service to age fifty-five.

(b) An additional deferred allowance which shall be the actuarial equivalent of the member's accumulated additional contributions as set forth in Section 14 (1) (b).

If the member's early retirement date occurs after he has twenty-five completed years of credited service and has attained age fifty, however, he may elect to receive, in lieu of such deferred allowance, a reduced allowance commencing immediately which shall be the actuarial equivalent of the deferred allowance.

SECTION 8. Disability retirement allowances.—(1) Upon the application of a member in service or of his employer, any member who has five or more completed years of creditable service may be retired by the retirement board not less than thirty days and not more than ninety days next following the date of filing such application on a disability retirement allowance if the medical board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent and that such member should be retired.

(2) Upon disability retirement, the member shall receive a disability retirement allowance which shall be computed in the same way as a service retirement allowance, based upon his completed years of credited service and his accumulated additional contributions to the date of his disability retirement.

(3) Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three-year period thereafter, the board shall require any disability beneficiary who has not yet attained the age of fifty-five years to undergo a medical examination, such examination to be made at the place of residence of the beneficiary or other place mutually

agreed upon, by the medical board. Should any disability beneficiary who has not yet attained the age of fifty-five years refuse to submit to any such medical examination, his retirement allowance may be discontinued until his withdrawal of such refusal, and should his refusal continue for one year all his rights in and to his retirement allowance may be revoked, but upon revocation any unexpended portion of his aggregate contributions to date of retirement shall be returned to him.

(4) If the medical board shall certify that the member's disability has been removed and that he has regained his earning capacity, his disability retirement allowance may be discontinued, or if such disability has been partly removed and his earning capacity regained in part, such disability retirement allowance may be reduced proportionately. The determination of the board as to any disputed question, after due consideration accorded to the member, shall be conclusive. Should the retirement allowance of any member retired for disability be discontinued or reduced, and should he again suffer disability within five years of the date of his recovery and again lose his earning capacity, he shall be entitled to apply to the board for a restoration of his original retirement allowance, and the board may in its discretion restore all or part of his original retirement allowance. At the expiration of the five-year period, if the retirement allowance shall not have been restored, any unexpended portion of his aggregate contributions to date of retirement shall be returned to the member, and all rights in and to his disability retirement allowance shall be revoked.

SECTION 9. Allowance to cease if member returns to service.

—Should any beneficiary return to service, his retirement allowance shall cease, he shall again become a member of the system, and he shall be credited with all service standing to his credit at the time of his retirement; *provided*, however, that notwithstanding such restoration of service credit, the retirement allowance payable upon subsequent retirement to any beneficiary who is restored to membership after he has attained age fifty shall not be greater than the sum of a retirement allowance computed on the basis of his credited service subsequent to his last restoration to membership plus a retirement allowance equal to the retirement allowance on which he was retired at the time of his last retirement.

SECTION 10. Members who stop police work may withdraw contributions.—Should a member cease to render service as a police

officer to an employer, except by reason of his death or retirement, he shall be paid within six months after his demand therefor, but not less than ninety days nor more than five years after ceasing to be a police officer, his aggregate contributions. If a member who has ceased to be a police officer but who has not withdrawn his aggregate contributions should become disabled, his aggregate contributions shall be returned to him and no other benefit shall be payable hereunder. Should such a member die before retirement, the amount of his accumulated contributions shall be paid to such person as he shall have nominated by written designation duly acknowledged and filed with the board, otherwise to his estate.

SECTION 11. Lump sum to be paid in event of death.—(1)

Upon the death of any member in service, a lump sum amount shall be paid to such person as he shall have nominated by written designation, duly acknowledged and filed with the board, otherwise to his estate. Such lump sum amount shall be equal to the sum of (a) and (b) below:

(a) The amount of his accumulated basic contributions, or one thousand dollars, which ever is greater; and

(b) The amount of his accumulated additional contributions as set forth in Section 14 (1) (b).

(2) Upon the death of a retired member who has not elected an optional form of allowance under Section 12 hereof, a lump sum amount shall be paid to such person as he shall have last nominated by written designation, duly acknowledged and filed with the board, otherwise to his estate. Such lump sum amount shall be equal to the excess, if any, of his total accumulated contributions at the time his allowance commenced over the sum of the retirement allowance payments made to him during his lifetime.

SECTION 12. Optional retirement allowances.—Until the first payment on account of a retirement allowance becomes normally due, any member may elect, by filing with the system, to convert the retirement allowance otherwise payable on his account after retirement into a retirement allowance of equivalent actuarial value under one of the optional forms named below.

Option 1. A reduced retirement allowance payable during the retired member's life, with the provision that the reduced allowance shall continue after his death to and for the life of the beneficiary nominated by him by written designation duly acknowledged and

filed with the board at the time of retirement, if such person survives him;

Option 2. A reduced retirement allowance payable during the retired member's life, with the provisions that the reduced allowance shall continue after his death at one-half the rate paid to him to and for the life of the beneficiary nominated by him by written designation duly acknowledged and filed with the board at the time of retirement, if such person survives him.

SECTION 13. Allowances to be paid monthly.—All retirement allowances shall be payable in monthly installments ceasing with the last payment prior to death; *provided*, that if a member has elected an optional allowance the provisions thereof shall apply.

SECTION 14. Contributions of members.—(1) (a) The basic contributions by members shall be as follows: (i) Each member shall contribute sixteen dollars per month during his service after becoming a member. (ii) Each member who was, immediately prior to his becoming a member, a participant in an other fund shall, and is hereby authorized and required to, cause the amount of his full contributions made under such other fund to be transferred to the system within two months of the date of his membership.

Notwithstanding the provisions of the foregoing paragraph, if the amount transferred in accordance with (ii) exceeds the amount which would have been transferable from the Police Insurance and Annuity Fund had the member made all required contributions thereto in connection with service before becoming a member, the board shall under uniform rules and regulations determine the amount of such excess and treat it as an additional contribution made under (b) below. If, however, a deficiency exists, the board shall require that such deficiency be made up by the member within such period of time as the board may deem reasonable.

(b) The additional contributions by members shall be as follows: Each member may make additional contributions at the rate of seven per centum of the portion of his salary or compensation in excess of the amount taxable to him under the Federal Insurance Contributions Act as from time to time in effect.

(2) The collection of members' contributions shall be as follows: Each employer shall cause to be deducted on each and every payroll of a member the contributions payable by such member, and the chief fiscal officer of each employer shall transmit such amount to the

system, together with a schedule of the contributions, on such forms as shall be prescribed by the board, within fifteen days after the last day of each quarter. If any employer shall fail so to do, or if arrears should at any time exist in making quarterly payrolls and remittances as required hereunder and by the rules and regulations of the board, the compensation of any person or officer of any employer charged with the responsibility of making quarterly payroll reports and remittances to the system shall be withheld by the employer in each and every instance of failure to make such reports and remittances until all reports and remittances required hereunder and by the rules and regulations of the board shall have been made. The system shall furnish quarterly to the disbursing officers of each employer a statement of any failure to make payroll reports and remittances and the names of the persons or officers failing to make such reports and remittances.

Failure by any person to transmit, in the manner and within the period herein required, the contributions deducted shall be a misdemeanor and shall be punished by fine or imprisonment, or both, in the discretion of the court.

(3) Every member shall be deemed to consent and agree to the deductions made and provided for herein, and shall receipt for his full salary or compensation, and payment of salary or compensation less such deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to the benefits provided under the system.

(4) Each of the amounts so deducted shall be credited to the individual account of the member from whose compensation the deduction was made.

SECTION 15. Contributions of employers.—The contributions of each employer for its police officers shall be determined by the board each year on the basis of annual actuarial valuations of the system.

SECTION 16. To be paid quarterly—State funds may be withheld if records or money not received on time.—(1) At the beginning of each year commencing on the first day of July, the board shall certify to each employer other than the State the amount of employer contribution due the system. It shall be the duty of the chief fiscal officer of each such employer to transmit to the system on or before the fifteenth day of each quarter on account of each member

of the system employed by such employer an amount to cover the quarterly contribution of the employer as so certified. The employer's contributions shall be included in the budget of the employer and levied and collected in the same manner as any other taxes are levied and collected for the payment of salaries of members.

(2) If within ninety days after request therefor by the board any employer shall not have provided the system with the records and other information required hereunder or if within thirty days after the last due date, as herein provided, the full accrued amount of the employer contributions due on account of members employed by an employer shall not have been received by the system from the chief fiscal officer of such employer, then, notwithstanding anything herein or in the provisions of any other law to the contrary, upon notification by the board to the State Treasurer and Comptroller General as to the default of such employer as herein provided, any distributions which might otherwise be made to such employer from any funds of the State shall be withheld from such employer until notice from the board to the State Treasurer that such employer is no longer in default.

SECTION 17. Board to have custody of funds—board members or employees not to have financial interest in monies.—(1) The board shall be the trustee of the funds of the system, may invest and reinvest such funds, may hold, purchase, sell, assign, transfer and dispose of any of the securities and investments in which any of the funds created herein shall have been invested, as well as the proceeds of such investments and any moneys belonging to such fund.

(2) Except as otherwise herein provided, no member of or person employed by the board shall have a direct interest in the gains or profits of any investment made by the board. No member of the board or employee of the board shall, directly or indirectly, for himself or as an agent in any manner use the funds of the system except to make such current and necessary payments as are authorized by the board. Nor shall any member or employee of the board become an endorser or surety, or in any manner an obligor, for moneys loaned or borrowed from the board.

SECTION 18. State Treasurer to be custodian of funds.—(1) The State Treasurer shall be the custodian of the funds of the system. All payments from such funds shall be made by him only upon vouchers signed by two persons designated by the board. No

voucher shall be drawn unless it has previously been authorized by resolution of the board.

(2) For the purpose of meeting disbursements for retirement allowances and other payments, there may be kept available cash, not exceeding ten per cent of the total funds of the system, on deposit with the State Treasurer.

SECTION 19. Deposit of assets.—(1) All of the assets of the system shall be credited, according to the purpose for which they are held, to one of two accounts; namely, the members' account and the accumulation account.

(2) The members' account shall be the account in which shall be held the contribution deducted from the compensation of members.

(3) The accumulation account shall be the account in which shall be held all reserves for the payment of the part of all retirement allowances and other benefits payable from contributions made by the employers, and from which shall be paid all retirement allowances payable under the system. All interest and dividends earned on the funds of the system shall be credited to the accumulation account. If a beneficiary is restored to membership, the part of his contributions then standing to his credit shall be transferred from the accumulation account to the members' account.

SECTION 20. Allowances and benefits exempt from taxation, garnishment or attachment.—The right of a person to a retirement allowance or to the return of contributions, a retirement allowance itself, any optional or death benefit or any other right accrued or accruing to any person under the provisions of this act and the moneys of the system created hereunder are hereby exempted from any State or municipal tax and exempted from levy and sale, garnishment, attachment or any other process whatsoever and shall be unassignable except as herein specifically otherwise provided.

SECTION 21. Contracts with members to be obligations of system only.—All agreements or contracts with the members of the system pursuant to any of the provisions of this act shall be deemed solely obligations of the system and the full faith and credit of the State and of its departments, institutions and political subdivisions and of any other employer is not, and shall not be, pledged or obligated beyond the amounts which may be hereafter annually appropriated by such employers in the annual appropriations act, county supply acts and other periodic appropriations for the purpose of this act.

SECTION 22. Property exempt from taxes.—All property owned or acquired by the system for purpose of this act shall be exempt from all taxes imposed by the State or any political subdivision thereof.

SECTION 23. Penalties.—Any person who shall knowingly make any false statement, or shall falsify or permit to be falsified any record of the system in any attempt to defraud the system, as a result of such act shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding twelve months, or both in the discretion of the court.

SECTION 24. Time effective.—This act shall take effect July 1, 1962.

Approved the 22nd day of March, 1962.

(R912, S631)

No. 800

An Act To Provide For The Open Season For The Hunting Of Turkeys In Jasper County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Turkey season for Jasper County.—Notwithstanding any other provision of law to the contrary, in Jasper County the open season for the hunting of turkeys shall be from the day before Thanksgiving Day to February fourteenth, and from March fifteenth to April first.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R913, H1212)

No. 801

An Act To Amend The Code Of Laws Of South Carolina, 1952, As Amended, By Adding New Section 10-209.1, So As To Include In Recoverable Damages Reasonable Funeral Expenses.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 10-209.1 added—certain damages may include funeral expenses.—The Code of Laws of South Carolina, 1952, as amended, is further amended by adding new Section 10-209.1 which shall read as follows :

“Section 10-209.1. Damages recoverable under either Section 10-209 or 10-1951 may include reasonable funeral expenses, but such funeral expenses shall be sought in only one action.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R914, H2182)

No. 802

An Act To Amend Section 14-351, Code Of 1952, Relating To The County Planning Act So As To Make The Provisions Thereof Applicable In Counties Containing A City Of Over Twenty-three Thousand.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-351, 1952 Code, amended—citation of act—applicable to certain counties.—Section 14-351 of the 1952 Code is amended by striking the word “seventy” on line 3 and inserting in lieu thereof the words “twenty-three” so that when so amended the section shall read as follows :

“Section 14-351. This article shall be known and may be cited as “The County Planning Act”, and shall be effective in all counties in this State containing a city having a population of more than twenty-three thousand according to the most recent official United States Census.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R916, H2381)

No. 803**An Act To Remove Chattoga Township In Oconee County From District No. 2 And Place It In District No. 4.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chattoga Township in Oconee County transferred to District 4.—Notwithstanding the provisions of Section 4 of Act No. 227 of the Acts of 1957, Chattoga Township in Oconee County is hereby removed from District No. 2 and placed in District No. 4.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R920, H2428)

No. 804**An Act To Amend Act No. 282 Of The Acts Of 1961, Regulating Fishing And Hunting Upon The Waters Of The Hartwell Reservoir, So As To Make The Provisions Thereof Identical To Those Applicable To The Clark's Hill Area.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 282 of 1961 amended—permits or licenses required for hunting or fishing on waters of Hartwell Reservoir.—Section 1 of Act No. 282 of the Acts of 1961 is amended by striking it out and inserting in lieu thereof the following :

“Section 1. All residents of this State, other than those possessing a valid statewide combination fishing license which sells for three dollars and ten cents, fishing in or hunting on the waters of the Hartwell Reservoir shall purchase and have in possession, while fishing or hunting, permits which shall be issued by the division of game in the same manner as now applied to hunting and fishing licenses and permits issued by it, and subject to the same laws as to the handling thereof. The charge for such permit shall be one dollar and ten cents. The permit to be issued April 1, 1962 shall be valid until December 31, 1962. Permits issued thereafter shall be valid for the calendar year for which issued. This permit shall be in addition to the regular anglers' license required of those fishing with artificial tackle and equipment designated in the laws relating to such

anglers' licenses, and also in addition to the regular license required for hunting."

SECTION 2. Section 2 of Act 282 of 1961 amended—nonresident fishing licenses.—Section 2 of Act No. 282 of the Acts of 1961 is amended by striking it out and inserting in lieu thereof the following:

"Section 2. Before fishing in any of the waters specified in Section 1, any nonresident, except a resident of Georgia licensed as required by Sections 5 and 6 hereof in accord with a reciprocal agreement, shall obtain and have in possession either a temporary or annual nonresident fishing license, which the division of game shall issue to applicants. There shall be no other licenses or permits required for fishing by the holders of either the temporary or annual nonresident licenses."

SECTION 3. Section 3 of Act 282 of 1961 amended—use of license fees.—Section 3 of Act No. 282 of the Acts of 1961 is amended by striking on line two the words "South Carolina Wildlife Resources Department" and inserting in lieu thereof the words "director and the division of game", so that when amended the section shall read as follows:

"Section 3. All funds collected by the director and the division of game from the sale of the permits and licenses required herein shall be placed to the credit of the Game Protection Fund of the State Treasury, to be disbursed by the South Carolina Wildlife Resources Commission solely for game and fish protection and propagation in the above described waters and adjacent areas."

SECTION 4. Subitem (b), Section 4 of Act 282 of 1961, amended—fishing regulations.—Subitem (b) of Section 4 of Act No. 282 of the Acts of 1961 is amended by striking out the subitem in its entirety and inserting in lieu thereof the following:

"(b) Traps, seines and nets prohibited. Baskets designed to catch nongame fish may be used for catching nongame fish. The director of the division of game shall specify the design and type basket that may be used. Trot lines may also be used for catching nongame fish and shall not be baited with minnows, insects, worms, any type live bait, or other bait designed to catch game fish. No trot line may have more than one hundred hooks. Before either trot line or basket is used in these waters a nongame fish tag must be secured from the game warden or agent of the division of game at a cost of one dol-

lar for each basket or trot line. The person or his agent designated in writing securing a tag or tags must fish his own basket or trot line. These tags must be securely attached to baskets or trot lines while they are in use. Each such nongame tag shall be good for only the fiscal year in which issued. The director is authorized to regulate the number of tags to be issued to any person."

SECTION 5. Subitem (e), Section 4 of Act 282 of 1961 amended—use of rifles.—Subitem (e) of Section 4 of Act No. 282 of the Acts of 1961 is amended by striking out on lines one and two the following: "Use of high-powered lights or flashlights of over five cells are hereby prohibited while fishing, and", so that the subitem when amended shall read as follows:

"(e) No person shall have any rifle in his possession in any boat nor shall any person fire a rifle within one hundred yards from the shore line of such waters."

SECTION 6. Time effective.—This act shall take effect April 1, 1962.

Approved the 22nd day of March, 1962.

(R923, H2470)

No. 805

An Act To Amend Section 27-92 Of The 1952 Code, Relating To The Fee Schedule Of The Clerk Of Court Of Common Pleas And General Sessions For Orangeburg County, So As To Make Further Provisions Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 27-92, 1952 Code, amended—clerk of court fees for Orangeburg County.—Section 27-92 of the 1952 Code is amended by striking it out and inserting in lieu thereof the following: "Section 27-92. The Clerk of Court of Common Pleas and General Sessions for Orangeburg County shall receive the fees set forth in this section except that if the fee for any service be not set forth in this section then such fee shall be as otherwise provided by general law: (a) Real estate title, two dollars minimum; (b) real estate title, extra pages over two, fifty cents per page; (c) real estate mortgage, two dollars minimum; (d) real estate mortgage, extra pages over two, fifty cents per page; (e) real estate assignments, fifty cents;

(f) separate assignments of real estate mortgage, one dollar; (g) real estate satisfactions-regular, twenty-five cents; (h) real estate satisfactions-long, fifty cents; (i) chattel mortgages, one dollar and twenty-five cents minimum, extra pages over two, fifty cents each per page; (j) chattel mortgages assignment, fifty cents; (k) chattel mortgages satisfactions, twenty-five cents; (l) chattel mortgages satisfactions-long, fifty cents; (m) bills of sale, two dollars; (n) bills of sale, extra pages after one page, fifty cents; (o) charters, one dollar and fifty cents; (p) lis pendens, one dollar; (q) filing civil cases, two dollars; (r) judgment rolls: default; divorce; annulment; adoption; others, minimum three dollars or fifty cents per page; (s) plats, one dollar and fifty cents; (t) releases, one dollar and fifty cents; (u) leases and contracts, minimum two dollars, extra page over two, fifty cents per page; (v) power of attorney, one dollar and fifty cents minimum, fifty cents per page over one page; (w) mechanic's lien, one dollar and fifty cents; (x) crop liens, one dollar and fifty cents; (y) certified copy work, minimum one dollar, fifty cents per page over two pages; (z) additional pages copy work, fifty cents per page; (aa) registering physicians licenses, five dollars."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R925, S260)

No. 806

An Act To Repeal Sections 22-309 Through 22-315, Code Of Laws Of South Carolina, 1952, Relating To Beneficiary Cadets At The Citadel, The Military College Of South Carolina; And To Amend Section 44-705, Code Of Laws Of South Carolina, 1952, Relating To Ownership And Use Of Marion Square In Charleston, So As To Eliminate The Citadel's Use Of This Property For Military Exercises And Recreation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 22-309 through 22-315, 1952 Code, repealed.—Sections 22-309 through 22-315, Code of Laws of South Carolina, 1952, are repealed.

SECTION 2. Section 44-705, 1952 Code, amended—ownership and use of Marion Square.—Section 44-705, Code of Laws of South Carolina, 1952, is amended by striking out the last sentence in the section. The section when amended shall read as follows:

“Section 44-705. The property known as Marion Square, otherwise called the Citadel Green, now vested in said corporation as constituted by this chapter shall forever be kept by it as a place for the military exercises of the companies herein designated.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R926, S565)

No. 807

An Act To Authorize The Town Of Bethune In Kershaw County To Levy A Tax Not To Exceed Fifty Mills On All The Taxable Property Within The Town.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Bethune may levy annual tax.—Notwithstanding the provisions of Section 47-161 of the 1952 Code, as amended, the Town Council of the Town of Bethune in Kershaw County may by ordinance impose an annual tax upon all real and personal property within the corporate limits of the town but such tax shall not exceed fifty mills on every one dollar of assessed valuation of such property.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R927, S623)

No. 808

An Act To Amend Section 27-74, Code Of Laws Of South Carolina, 1952, Relating To Fees To Be Charged By The Clerk Of

Court For Calhoun County, So As To Further Provide For Such Fees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 27-74, 1952 Code, amended—clerk of court fees for Calhoun County.—Section 27-74 of the 1952 Code is amended by striking it in its entirety and inserting in lieu thereof the following :

“Section 27-74. The Clerk of Court for Calhoun County shall receive the fees set forth in this section, except that if the fee for any service be not set forth in this section then such fee shall be as otherwise provided by general law :

(A) DEED—regular forms, two dollars ; extra probate (over one), fifty cents ; extra dower (over one), fifty cents ; extra whereas clause, twenty-five cents ; extra signers (over two), twenty cents, irregular forms, one dollar per page—minimum two ; certified copy, two dollars and fifty cents, plus fifteen cents for form.

(B) MORTGAGE—real estate, regular forms, two dollars and fifty cents ; extra pages (over three), one dollar ; chattel under one hundred dollars (indexing) short description, fifty cents ; chattel over one hundred dollars with copy or blank, one dollar and fifty cents ; chattel over one hundred dollars, irregular form without copy, two dollars and fifty cents ; extra pages (over two), one dollar ; certified copy, two dollars and fifty cents plus fifteen cents for form ; assignment (regular), fifty cents ; satisfaction (regular) fifty cents ; release, one dollar per page ; subordination agreement, one dollar per page ; extension of mortgage, one dollar per page.

(C) BILL OF SALE—regular, one dollar and fifty cents ; extra pages (over two), one dollar per page.

(D) LEASES AND CONTRACTS—short form, one dollar and fifty cents ; extra pages (over two), one dollar per page.

(E) AFFIDAVITS AND PARTNERSHIPS—one dollar per page.

(F) MECHANICS LIEN—short form, one dollar and fifty cents ; extra pages, one dollar per page.

(G) OPTION—short form, one dollar and fifty cents ; extra pages (over two), one dollar per page ; extension, one dollar per page.

(H) CHARTERS—regular, two dollars ; amendment, one dollar ; extra pages (over one), one dollar per page.

(I) LIS PENDENS—one dollar.

- (J) FILING SUMMONS AND COMPLAINT, CIVIL CASES—two dollars.
- (K) JUDGMENT ROLL—one dollar per page; release or satisfaction of judgment, one dollar per page.
- (L) POWER OF ATTORNEY—two dollars.
- (M) REGISTERING LICENSE—Physicians, etc., one dollar.
- (N) REGISTERING NOTARY PUBLIC COMMISSIONS—one dollar.
- (O) PLATS—small, one dollar and fifty cents plus ten cents per corner if traced; large, three dollars plus ten cents per corner if traced; certified copy (traced), two dollars and fifty cents plus ten cents per corner.
- (P) COURT PAPERS—certified copy, two dollars and fifty cents; extra pages (over two), one dollar per page.
- (Q) DISCHARGE—certified copy, two dollars.
- (R) ORDER—signing, without seal, fifty cents.
- (S) INDEXING—extra names, direct and cross, twenty cents each; in more than one set of indexes, fifty cents minimum.
- (T) OTHER, UNUSUAL CHARGES—in the discretion of the Clerk of Court.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R928, S450)

No. 809

An Act To Amend Section 19-438, Code Of Laws Of South Carolina, 1952, Relating To The Bond Of An Administrator With Will Annexed, So As To Eliminate An Inconsistency.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 19-438, 1952 Code, amended—bond of administrator.—Section 19-438, Code of Laws of South Carolina, 1952, is amended by striking the word “intestate” on line two and inserting in lieu thereof the word “estate” and by striking the word “intestate” on the last line and inserting in lieu thereof the word “estate”. The section when amended shall read as follows:

“Section 19-438. An administrator with the will annexed shall

enter into bond in a penalty double the estimated value of the personal property of the estate and shall have two or more good sureties the aggregate value of whose estates, over and above their indebtedness, shall not be less than the full amount of the penalty of the bond. But when the surety on any such bond is a corporate surety authorized and licensed to do business in this State such bond, in the discretion of the probate court, need only be in a penalty of one and one-half times the estimated value of the personal property of the estate."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R929, S492)

No. 810

An Act To Provide For Service Upon Trustees Of An Inter Vivos Trust, And To Provide A Penalty.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Service upon trustees of inter vivos trusts.—Service upon one resident trustee of an inter vivos trust shall constitute service on all other trustees, resident and nonresident, of the same trust, for the purpose of adjudicating any action or proceeding in a court of this State involving, directly or indirectly, such trust.

SECTION 2. Trustee served to notify other trustees.—The resident trustee, so served, shall within five days, give prompt notice to such nonresident trustee and other resident trustee of the action. The failure of notification to the other trustees shall in no way impair the action.

SECTION 3. Service upon nonresident trustee when there is no resident trustee.—When there is no resident trustee, the nonresident trustee of an inter vivos trust shall be deemed to have consented to the service of any summons, notice or other legal process in connection with any proceeding in the courts of this State involving such trust, directly or indirectly, when served upon the Secretary of State, when the trust was created under the laws of this State or, in the case of a foreign trust, when part of the trust property is situate in this State.

SECTION 4. Time allowed for answer.—The time within which to answer under the provisions of this act shall be the same as that provided for by law for substituted service.

SECTION 5. Penalties.—Any trustee responsible for notifying another trustee, who fails to comply with the provisions of this act, shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than one hundred dollars or imprisoned for not more than thirty days.

SECTION 6. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 30th day of March, 1962.

(R930, S626)

No. 811

An Act To Create The State Advisory Commission On Higher Education; To Prescribe Its Duties, And To Provide Funds Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. State Advisory Commission on Higher Education created—members—terms.—There is hereby created a State Advisory Commission on Higher Education to be composed of seven members to be appointed by the Governor. The terms of four members shall be coterminous with the term of the Governor appointing them and the initial terms of the other three members shall be for two years. The Governor shall designate the member to serve as Chairman. Thereafter, the terms of their successors shall be for four years.

No trustee, officer or employee of any state-supported institution of higher learning nor any holder of public office if elective or for which compensation is paid shall be eligible for appointment as a member of the Commission. Not more than two persons who have attended the same state institution of higher learning shall be eligible to serve as members of the Commission at the same time.

SECTION 2. Duties.—The Commission shall meet regularly and is charged with the duty of making studies of the State's institutions of higher learning relative to both short and long-range programs which shall include :

(a) the role of state-supported higher education in serving the needs of the state and the roles and participation of the individual institutions in the state-wide program;

(b) enrollment trends, student costs, business management practices, accounting methods, operating results and needs and capital fund requirements;

(c) the administrative setup and curriculum offerings of the several institutions and of the various departments, schools, institutes and services within each institution and the respective relationships to the services and offerings of other institutions;

(d) areas of state-level coordination and cooperation with the objective of reducing duplication, increasing effectiveness and achieving economies and eliminating sources of friction and misunderstanding;

(e) efforts to promote a clearer understanding and greater unity and good will among all institutions of higher learning, both public and private, in the interest of serving the educational needs of the people of South Carolina on a state-wide level.

SECTION 3. Council of college presidents to be established.—

The Commission shall establish a Council of Presidents consisting of the presidents of the state institutions of higher learning. The Council of Presidents shall appoint a chairman and such other officers and committees as it may see fit. It shall meet at least four times a year, of which two meetings will be held jointly with the Commission. The Council of Presidents shall establish committees consisting of qualified personnel representing the various state-supported institutions of higher learning, either upon request of the Commission or upon its own initiative, to investigate, study and report on such subjects as:

- (a) Academic Planning
- (b) Business and Financial Coordination
- (c) Library Utilization and Coordination

SECTION 4. Commission to advise Budget and Control Board.—

The Commission shall act in an advisory capacity to the State Budget and Control Board and make recommendations to the board as to policies, programs, curricula, facilities, administration and financing of all state-supported institutions of higher learning. The State Budget and Control Board may refer to the Commission for investigation, study and report any requests of in-

stitutions of higher learning for new or additional appropriations for operating and for other purposes and for the establishment of new or expanded programs.

Nothing in this act shall be construed as clothing the Commission with any apparent or inherent powers except those of an advisory nature.

SECTION 5. Reports.—The Commission shall make reports to the Governor and the General Assembly at least annually on the status and progress of higher education in the State, with such recommendations as may be appropriate.

SECTION 6. Appropriation—compensation of members.—There is hereby appropriated from the general fund of the State the sum of twenty thousand dollars for the necessary technical, administrative and clerical assistance and other expenses of the Commission, including stationery. The members of the Commission shall be allowed such per diem and mileage as is authorized by law for members of boards, commissions and committees. The sum appropriated for the use of the Commission shall be expended upon warrants signed by the chairman.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

An Act To Provide For The Composition And Terms Of Office Of The Governing Body Of The Town Of Latta In Dillon County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Governing body for Town of Latta—composition—terms.—The Governing Body of the Town of Latta in Dillon County shall, upon the expiration of the terms of office of the present mayor and councilmen, be composed of a mayor and six councilmen. The term of office of mayor shall be two years. The terms of office of the councilmen shall be four years each, provided, that of the councilmen first elected pursuant to this act, the three receiving the highest number of votes shall serve for a term of four years each,

and the three receiving the next highest number of votes shall serve for a term of two years each. The mayor and councilmen shall compose the town council.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R934, H2029)

No. 813

An Act To Amend Sections 56-1157, 56-1160 And 56-1161, Code Of Laws Of South Carolina, 1952, Relating To Loans By Pawnbrokers, So As To Further Provide For The Charges Which May Be Collected By Pawnbrokers And To Further Provide For The Forfeiture Of Property Pledged To Secure Such Loans.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 56-1157, 1952 Code, amended—pawnbrokers to keep records.—Section 56-1157, Code of Laws of South Carolina, 1952, is amended by inserting after the comma on the fourth line the following: “the charges or”, so that when amended the section shall read as follows:

“Section 56-1157. Every such pawnbroker shall keep a book in which shall be fairly written, at the time of any loan, an account and description of the goods, articles or things pawned or pledged, the amount of money loaned thereon, the time of pledging them, the charges or the rate of interest to be paid on such loan and the name and residence of the person pawning or pledging the goods, articles or things.”

SECTION 2. Section 56-1160, 1952 Code, amended—rates pawnbrokers may charge.—Section 56-1160, Code of Laws of South Carolina, 1952, is amended by striking it out in its entirety and inserting in lieu thereof the following:

“Section 56-1160. Pawnbrokers may demand or receive on loans not in excess of fifty dollars a charge at the rate of one dollar per thirty day period for each ten dollars loaned; *provided*, that a minimum charge of fifty cents may be collected for loans under ten dollars.”

SECTION 3. Section 56-1161, 1952 Code, amended—when titles to property pledged to vest in pawnbroker.—Section 56-1161, Code of Laws of South Carolina, 1952, is amended by striking it out in its entirety and inserting in lieu thereof the following:

"Section 56-1161. If any loan remains unpaid for a period of ninety days from the due date or any renewal or extension thereof, the title of the borrower or pledgor to the property pledged to secure the loan shall vest in the pawnbroker, without advertising, sale or accountability to the pledgor; *provided*, that the pawn ticket or memorandum delivered to the borrower in accordance with Section 56-1158, Code of Laws of South Carolina, 1952, contains on the back thereof a notice to that effect, and *provided*, further, that a printed or written notice of the impending forfeiture be mailed to the pledgor at the address given on the pawn ticket, at least ten days prior to the forfeiture date. Such notice shall contain a description of the article pledged, and the amount due thereon as of the date of the notice."

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R935, H2086)

No. 814

An Act To Exempt Purchasers Of Motor Vehicles And Persons Applying For License Plates Of South Carolina, Whose Motor Vehicles Are Registered In Other States And Who Desire License Plates Of This State, And Those Acquiring Vehicles For Registration In This State, From Purchasing License Plates Of The Current Year After New Plates Go On Sale.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Purchase of license plates for motor vehicles purchased after plates go on sale.—When license plates for motor vehicles are placed on sale for a new license year by the State Highway Department, no purchaser of a motor vehicle, the date of which purchase is after the date when new license plates go on sale, will be required to purchase a license plate of the license year about to

expire, and such purchaser is authorized to purchase and use plates of the approaching license years instead, and the total charge shall be only for the new plates.

SECTION 2. Purchase of license plates for motor vehicles brought into State after plates go on sale.—No person desiring to purchase license plates of South Carolina for motor vehicles when his vehicle has been registered and licensed in another state shall be required to purchase license plates for his motor vehicle of a current year if such vehicle is brought into the State after license plates for the next license plate year go on sale, and such person is authorized to apply for, receive and use license plates of the new license plate year instead, and the total charge shall be only for the new plates.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R936, H2145)

No. 815

An Act To Amend Act No. 818 Of 1960, As Amended, Relating To The State Use Law, So As To Exempt Agricultural Products Produced By Convicts Or Prisoners In County Penal Institutions From The Provisions Of This Act And To Repeal Section 4 Of The Act.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10 of Act 818 of 1960 amended—agricultural products exempted.—Section 10 of Act No. 818 of 1960, as amended, is further amended by adding at the end thereof the following: "*Provided*, the provisions of this act shall not apply to agricultural products produced by convicts or prisoners in county penal institutions."

SECTION 2. Section 4 of Act 818 repealed.—Section 4 of Act No. 818 is repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R937, H2176)

No. 816

An Act To Amend Act No. 163 Of 1961, Providing For Testamentary Additions To Trusts, So As To Insert A Material Omission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 163 of 1961 amended—testamentary additions to trusts.—Act No. 163 of 1961 is amended by striking out Section 1 and inserting in lieu thereof the following :

“Section 1. A devise or bequest, the validity of which is determinable by the law of this State, may be made by a will to the trustee or trustees of a trust established or to be established by the testator or by the testator and some other person or persons or by some other person or persons (including a funded or unfunded life insurance trust, although the trustor has reserved any or all rights of ownership of the insurance contracts) if the trust is identified in the testator’s will and its terms are set forth in a written instrument (other than a will) executed before or concurrently with the execution of the testator’s will or in the valid last will of a person who has predeceased the testator (regardless of the existence, size or character of the corpus of the trust). The devise or bequest shall not be invalid because the trust is amendable or revocable, or both, or because the trust was amended after the execution of the will or after the death of the testator. Unless the testator’s will provides otherwise, the property so devised or bequeathed (a) shall not be deemed to be held under a testamentary trust of the testator but shall become a part of the trust to which it is given and (b) shall be administered and disposed of in accordance with the provisions of the instrument or will setting forth the terms of the trust, including any amendments thereto made before the death of the testator (regardless of whether made before or after the execution of the testator’s will) and, if the testator’s will so provides, including any amendments to the trust made after the death of the testator. A revocation or termination of the trust before the death of the testator shall cause the devise or bequest to lapse.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R938, H2178)

No. 817

An Act To Amend Act 541 Of 1954, As Amended, Relating To The Regulation Of Economic Poisons, So As To Provide For Additional Inspection Fees And To Provide For Licensing Of Economic Poisons Manufacturers.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (c), Section 4 of Act 541 of 1954 amended—registration of economic poisons—inspection fee.—Item (c) of Section 4 of Act 451 of 1954, as amended by Section 2 of Act 206 of 1961, is further amended by adding on line 12 of Section 2 of the amending act between the word “for” and the word “the” “each of”, so that when amended the item shall read as follows:

“(c) The registrant, before selling or offering for sale any economic poison in this State, shall register each brand or grade of such economic poison with the South Carolina State Crop Pest Commission, Clemson, South Carolina, by filing with the South Carolina State Crop Pest Commission a copy of the label of each brand or grade of such economic poison. For the purposes of defraying expenses connected with the enforcement of this act, the registrant shall pay to the South Carolina State Crop Pest Commission an annual inspection fee of twenty dollars for each of the first ten brands and grades to be offered for sale in this State; and ten dollars for each of the next twenty brands and grades. The South Carolina State Crop Pest Commission shall transmit funds so collected to the State Treasurer who shall deposit same in the general funds of the State; *provided*, however, that any registrant may register annually any number of brands, without paying a fee, after the payment of annual fees aggregating four hundred dollars, whereupon there shall be issued to the registrant by the South Carolina State Crop Pest Commission a certificate entitling the registrant to sell all duly registered brands in this State until the expiration of the certificate. All certificates shall expire on December thirty-first of each year unless otherwise terminated, and are subject to renewal upon receipt of annual inspection fees.”

SECTION 2. Section 4.1 of Act 541 of 1954 amended—manufacturers of economic poisons to be licensed—fee.—Section 4.1 of Act 541 of 1954, added by Section 3 of Act 206 of 1961, is amended by striking on lines 4 and 7 “agricultural chemical” and inserting in lieu

thereof "economic poisons," so that when amended the section shall read as follows:

"Section 4.1. It shall be unlawful for any economic poisons manufacturer to do business in this State until he has made application for and received a license from the State Crop Pest Commission. The license fee for economic poisons manufacturers shall be fifty dollars per annum."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R939, H2201)

No. 818

An Act To Provide Supplemental Payments From The South Carolina Retirement System For Certain Persons.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain members of S. C. Retirement System to receive benefits.—Notwithstanding any other provision of law, any person whose membership in the South Carolina Retirement System became effective on or after January 1, 1953, and who had twenty or more years creditable service performed prior to July 1, 1945, shall receive the benefits and come under the provisions of Section 1 of Act 610 of 1954, as amended. The provisions of this act shall become effective as of May 18, 1959, or as of the effective date of the member's retirement or withdrawal from the South Carolina Retirement System, whichever is the later date.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R940, H2222)

No. 819

An Act To Provide That Personal Property In Transit In Interstate Commerce Acquire No Situs For Purposes Of Prop-

erty Taxation; To Provide That Proper Records Be Maintained; To Fix The Duties Of Certain Officers; And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain property in transit to be “no situs” for tax purposes.—Personal property in transit through this State is personal property, goods, wares and merchandise: (a) which is moving in interstate commerce through or over the territory of this State; or (b) which was consigned to a warehouse, public or private, within this State from without this State for storage in transit to a final destination outside of this State whether specified when transportation begins or afterward. Such property is deemed to have acquired no situs in this State for purposes of property taxation, and such “no situs” property shall not acquire situs so as to become subject to property taxation by virtue of the fact that while in the warehouse the property is assembled, bound, joined, processed, disassembled, divided, cut, broken in bulk, relabeled or repackaged. The “no situs” status granted herein shall be liberally construed to effect the purposes of this act.

SECTION 2. Warehouses to keep records.—All property claimed to be “no situs” under this act shall be designated as being “in transit” upon the books and records of the warehouse wherein it is located, which books and records of the warehouse shall contain a full, true and correct inventory of all such property, together with the date of the receipt of the property, the date of the withdrawal of the property, the point of origin thereof and the point of ultimate destination thereof if known. The books and records of any such warehouse with reference to any such “in transit” property shall be at all times open to the inspection of all taxing authorities of this State and of any political subdivision thereof. Any person making claim to “no situs” status on any property under this act shall do so in the form and manner prescribed by the South Carolina Tax Commission and all such claims shall be accompanied by a certification of the warehouseman as to the status on its books of the property involved.

SECTION 3. Property reconsigned to State to be taxed.—If any such property is reconsigned to a final destination within this State, the warehouseman shall file a monthly report with the South Carolina Tax Commission in the form and manner prescribed by

the commission, and all such property so reconsigned thereafter shall be assessed and taxed.

SECTION 4. Penalties.—If any person shall wilfully deliver any statement to the South Carolina Tax Commission concerning “no situs” property containing a false statement of a material fact, whether it be an owner, shipper, his agent or a storage or warehouseman or his agent, he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment of not less than ten days nor more than six months.

SECTION 5. Penalties further.—If any owner, shipper or his agent shall by misrepresentation, concealment or violation of the provisions of this act evade assessment or the levy of taxes on property not defined herein to be personal property in transit through this State, he shall be liable in the sum of the taxes evaded which would otherwise have been levied against his property and which together with a penalty of twenty-five per cent of such taxes shall be levied and collected in accordance with methods and procedures set out in Article 3, Chapter 16, Title 65, Code of Laws of South Carolina, 1952.

SECTION 6. Exemptions.—Personal property within this State returnable and taxable under Chapters 16, 17 and 18 of Title 65, Code of Laws of South Carolina, 1952, shall not include personal property in transit through this State as defined by this act.

SECTION 7. Time effective.—This act, upon approval by the Governor, shall be effective January 1, 1962.

Approved the 30th day of March, 1962.

An Act To Amend Section 1 Of Act 701 Of 1956, As Amended, Relating To The Requirement Of A Certificate As To Payment Of County And Municipal Taxes To Be Included With Applications For License Of Motor Vehicles So As To Provide That Additional Information Be Included In The Certificate.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 701 of 1956 amended—no vehicle to be registered unless taxes paid.—Section 1 of Act 701 of 1956, as amended, is further amended to read as follows:

“Section 1. No vehicle shall be registered and licensed by the Highway Department unless a signed statement accompanies the application certifying that all county and municipal taxes legally due by the applicant on the vehicle concerned have been paid and if such vehicle is legally subject to being returned by the applicant for county and municipal taxes such return has been made; that the applicant is not delinquent in the payment of any motor vehicle taxes in this State, and that the address and county shown on the application for license is the true legal residence of the applicant. A transfer between members of the same family shall not, for the purpose of this section, be considered a bona fide purchase.”

SECTION 2. Time effective.—This act, upon approval of the Governor, shall be effective November 1, 1962.

Approved the 30th day of March, 1962.

(R942, H2224)

No. 821

An Act To Provide For An Optional Method Of Filing Income Tax Returns If Adjusted Gross Income Is Less Than Five Thousand Dollars.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Optional method for filing income tax returns when adjusted gross income less than five thousand dollars.—In lieu of the deductions authorized by Sections 65-225, 65-259 and 65-260, Code of Laws of South Carolina, 1952, an individual whose adjusted gross income for the taxable year is less than five thousand dollars, and is derived from personal services performed by such taxpayer, and whose gross income other than from personal services performed by such taxpayer does not exceed one hundred dollars, may, at his election, for such taxable year file a return and pay the tax determined to be due from the following table. Such tables shall apply to the adjusted gross income less Federal income tax actually paid during the income year in an amount not exceeding five hundred dollars, regardless of the method of accounting employed by the taxpayer.

<i>If Adjusted Gross Income Is—</i>		<i>Number of Exemptions Is</i>				
<i>At Least</i>	<i>But Less Than</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
				<i>The Tax Is</i>		
\$ 0	\$ 800	0	0	0	0	0
800	850	0	0	0	0	0
850	900	0	0	0	0	0
900	950	.74	0	0	0	0
950	1000	1.65	0	0	0	0
1000	1050	2.55	0	0	0	0
1050	1100	3.46	0	0	0	0
1100	1150	4.36	0	0	0	0
1150	1200	5.27	0	0	0	0
1200	1250	6.17	0	0	0	0
1250	1300	7.08	0	0	0	0
1300	1350	7.98	0	0	0	0
1350	1400	8.89	0	0	0	0
1400	1450	9.79	0	0	0	0
1450	1500	10.70	0	0	0	0
1500	1550	11.60	0	0	0	0
1550	1600	12.51	0	0	0	0
1600	1650	13.41	0	0	0	0
1650	1700	14.32	0	0	0	0
1700	1750	15.22	0	0	0	0
1750	1800	16.13	.13	0	0	0
1800	1850	17.03	1.03	0	0	0
1850	1900	17.94	1.94	0	0	0
1900	1950	18.84	2.84	0	0	0
1950	2000	19.75	3.75	0	0	0
2000	2050	20.65	4.65	0	0	0
2050	2100	21.56	5.56	0	0	0
2100	2150	22.46	6.46	0	0	0
2150	2200	23.37	7.37	0	0	0
2200	2250	24.27	8.27	0	0	0
2250	2300	25.18	9.18	0	0	0
2300	2350	26.08	10.08	0	0	0
2350	2400	26.99	10.99	0	0	0
2400	2450	27.89	11.89	0	0	0
2450	2500	28.80	12.80	0	0	0
2500	2550	29.71	13.70	0	0	0
2550	2600	30.61	14.61	0	0	0
2600	2650	31.52	15.51	0	0	0
2650	2700	32.42	16.42	.42	0	0

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<i>If Adjusted Gross Income Is—</i>		<i>Number of Exemptions Is</i>				<i>5</i>
<i>At Least</i>	<i>But Less Than</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	
				<i>The Tax Is</i>		
2700	2750	33.32	17.32	1.32	0	0
2750	2800	34.23	18.23	2.23	0	0
2800	2850	35.13	19.13	3.13	0	0
2850	2900	36.04	20.04	4.04	0	0
2900	2950	36.94	20.94	4.94	0	0
2950	3000	37.85	21.85	5.85	0	0
3000	3050	38.45	22.45	6.45	0	0
3050	3100	39.35	23.35	7.35	0	0
3100	3150	40.38	24.25	8.25	0	0
3150	3200	41.73	25.15	9.15	0	0
3200	3250	43.08	26.05	10.05	0	0
3250	3300	44.43	26.95	10.95	0	0
3300	3350	45.78	27.85	11.85	0	0
3350	3400	47.13	28.75	12.75	0	0
3400	3450	48.48	29.65	13.65	0	0
3450	3500	49.83	30.55	14.55	0	0
3500	3550	51.18	31.45	15.45	0	0
3550	3600	52.53	32.35	16.35	.35	0
3600	3650	53.88	33.25	17.25	1.25	0
3650	3700	55.23	34.15	18.15	2.15	0
3700	3750	56.58	35.05	19.05	3.05	0
3750	3800	57.93	35.95	19.95	3.95	0
3800	3850	59.28	36.85	20.85	4.85	0
3850	3900	60.63	37.75	21.75	5.75	0
3900	3950	61.98	38.65	22.65	6.65	0
3950	4000	63.33	39.55	23.55	7.55	0
4000	4050	64.68	40.68	24.45	8.45	0
4050	4100	66.03	42.03	25.35	9.35	0
4100	4150	67.38	43.38	26.25	10.25	0
4150	4200	68.73	44.73	27.15	11.15	0
4200	4250	70.08	46.08	28.05	12.05	0
4250	4300	71.43	47.43	28.95	12.95	0
4300	4350	72.78	48.78	29.85	13.85	0
4350	4400	74.13	50.13	30.75	14.75	0
4400	4450	75.48	51.48	31.65	15.65	0
4450	4500	76.83	52.83	32.55	16.55	.55
4500	4550	78.18	54.18	33.45	17.45	1.45
4550	4600	79.53	55.53	34.35	18.35	2.35
4600	4650	80.88	56.88	35.25	19.25	3.25

<i>If Adjusted Gross Income Is—</i>		<i>Number of Exemptions Is</i>				
<i>At Least</i>	<i>But Less Than</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
		<i>The Tax Is</i>				
4650	4700	82.23	58.23	36.15	20.15	4.15
4700	4750	83.58	59.58	37.05	21.05	5.05
4750	4800	84.93	60.93	37.95	21.95	5.95
4800	4850	86.28	62.28	38.85	22.85	6.85
4850	4900	87.63	63.63	39.75	23.75	7.75
4900	4950	88.98	64.98	40.98	24.65	8.65
4950	5000	90.33	66.33	42.33	25.55	9.55

SECTION 2. When optional method may be used.—The optional method provided for in this act shall be allowed only if the taxpayer elects to use this method in his original and timely filed return. The option exercised by the taxpayer in the original and timely filed return shall be irrevocable for the period covered by the return.

SECTION 3. Further.—The election referred to in this act shall be made in the manner provided in regulations prescribed by the South Carolina Tax Commission. When husband and wife make separate returns both must exercise the same option in the filing of the returns. This act shall not apply to:

- (a) a nonresident individual
- (b) a taxpayer who resided a part of the year within this State
- (c) an individual making a return under Section 65-221 for a period of less than twelve months on account of a change in his accounting period, or,
- (d) an estate or trust.

SECTION 4. Time effective.—This act, upon approval by the Governor, shall be effective for taxable years beginning after December 31, 1961.

Approved the 30th day of March, 1962.

(R943, H2225)

No. 822

An Act To Provide For The Payment Of Interest On Taxes, Penalties Or Interest Recovered Through Litigation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Interest on certain tax monies recovered through litigation.—When any amounts of taxes, penalties or interest are

recovered under the provisions of Section 65-2662, Code of Laws of South Carolina, 1952, as amended, or Section 65-2686, Code of Laws of South Carolina, 1952, such amounts shall bear interest at the rate of one-half of one per cent per month from the date such taxes, penalties or interest are paid to the date the order for refund or credit was issued, and such interest shall be paid in same manner and receive the same preference as amounts recovered under Section 65-2662 and Section 65-2686.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R944, H2227)

No. 823

An Act To Amend Subsection (3) Of Section 65-226, Code Of Laws Of South Carolina, 1952, Relating To Organizations That Are Exempt From Income Taxation, So As To Exempt From The Income Tax Trusts Organized For Religious, Charitable, Scientific, Or Educational Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (3) of Section 65-226, 1952 Code, amended—organizations exempt from income tax.—Subsection (3) of Section 65-226, Code of Laws of South Carolina, 1952, is amended by inserting between the words “corporations” and “organized” on line 1 of the subsection “or trusts”, so that when amended the subsection shall read as follows :

“(3) Cemetery corporations and corporations or trusts organized for religious, charitable, scientific or educational purposes or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual;”.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor for taxable years beginning on or after January 1, 1962.

Approved the 30th day of March, 1962.

(R945, H2228)

No. 824

An Act To Amend Item (11) Of Section 65-259, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Income Tax Deductions, So As To Allow Fiduciaries The Same Contribution Deduction As Is Now Allowed Individuals.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (11) of Section 65-259, 1952 Code, amended—**income tax deductions for charitable contributions.**—Item (11) of Section 65-259, Code of Laws of South Carolina, 1952, as amended by Act 208 of 1961, is further amended by inserting on line 16 of Section 1 of the amending act between the words “individual” and “within” “or fiduciaries”, so that when amended the item shall read as follows:

“(11) Contributions or gifts made by individuals or fiduciaries within the taxable year to corporations or associations operated exclusively for religious, charitable, scientific or educational purposes or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, to an amount not in excess of twenty per cent of the taxpayer’s adjusted gross income; *provided*, that contributions or gifts made to or for the use of churches, conventions or associations of churches, educational institutions, hospitals or medical research organizations situate in South Carolina no part of the net earnings of which inure to the benefit of any private stockholder or individual shall entitle the person making the gift or contribution to an additional deduction in an amount not in excess of ten per cent of the taxpayer’s adjusted gross income;”.

SECTION 2. Time effective.—This act, upon approval by the Governor, shall be effective for taxable years beginning on or after January 1, 1962.

Approved the 30th day of March, 1962.

(R946, H2229)

No. 825

An Act To Amend Subsection K Of Section 12 Of Part II Of Act 140 Of 1959, Relating To Method Of Payment Of Income

Tax, So As To Prohibit Individuals Or Fiduciaries From Making Installment Payments After Due Date.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection K, Section 12, Part II of Act 140 of 1959 amended—individuals or fiduciaries not to make certain installment payments.—SUBSECTION K of Section 12 of Part II of Act 140 of 1959 is amended by inserting on line 3 after the word “individuals” “or fiduciaries”, so that when amended the subsection shall read as follows :

“SUBSECTION K. Section 65-341, of the Code of Laws for South Carolina for 1952, as amended, shall be void and of no effect with respect to individuals or fiduciaries filing returns of income for periods beginning on and after January 1, 1960.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R947, H2230)

No. 826**An Act To Amend Section 65-223, Code Of Laws Of South Carolina, 1952, Relating To Income Taxation, So As To Tax Fiduciaries At The Same Rate As Individuals.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-223, 1952 Code, amended—tax on fiduciaries.—Section 65-223, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 65-223. A tax is imposed upon resident fiduciaries and upon nonresident fiduciaries having in charge funds or property for the benefit of a resident of this State at the same rates set forth in Section 65-221, and shall be levied, collected, and paid annually with respect to :

(1) That part of the net income of estates or trusts which has not been distributed ;

(2) The net income received during the income year by deceased individuals who at the time of death were residents and who have

died during the tax year or income year without having made a return; and

(3) The entire net income of resident insolvent or incompetent individuals, whether or not any portion thereof is held for the future use of the beneficiaries, when the fiduciary has complete charge of such net income.

The tax imposed upon a fiduciary by this chapter shall be a charge against the estate or trust."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor and be effective for taxable years beginning on or after January 1, 1962.

Approved the 30th day of March, 1962.

(R948, H2231)

No. 827

An Act To Amend Section 7, Part 2, Of Act No. 813 Of The Acts Of 1956, Relating To Income Taxes, So As To Include Income Received Through A Nonresident Fiduciary In Computing The Credits Allowable To Residents Of South Carolina.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 7, Part II of Act 813 of 1956 amended—South Carolina residents to get credit for income tax paid to another state.—Section 7, Part 2, of Act No. 813 of the Acts of 1956 is amended by striking it out in its entirety and inserting in lieu thereof the following :

"Section 7. Whenever an individual who is a resident of South Carolina has become liable for income tax in another state on account of income earned from personal services rendered in such other state, or has received income through a nonresident fiduciary, the Tax Commission shall credit the amount of income tax payable for the income year by him under Title 65, Code of Laws of South Carolina, 1952, with the amount of tax paid by him to another state on income taxable by South Carolina. In no case shall the credit herein allowed exceed an amount equivalent to the proportion of South Carolina Income Tax attributable to the income taxable by another state."

SECTION 2. Time effective.—This act, upon approval by the Governor, shall be effective with respect to taxable periods beginning on or after January 1, 1962.

Approved the 30th day of March, 1962.

(R950, H2260)

No. 828

An Act To Amend Section 46-667, Of The 1952 Code, Relating To Permits For Excess Size And Weights Of Motor Vehicles, So As To Provide For A Fee And The Disbursement Of Funds So Collected.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 46-667, 1952 Code, amended—fee—disposition of.—Section 46-667, of the 1952 Code, is amended by adding at the end thereof a new paragraph as follows:

“The Department shall charge a fee of five dollars for each permit issued, and fees collected by the Department pursuant to this provision shall be placed in the State Highway Fund and used for defraying the cost of issuing and administering such permits, and for other highway purposes.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R951, H2278)

No. 829

An Act To Amend Act No. 800 Of The Acts And Joint Resolutions Of The General Assembly Of 1958 Which Makes The Provisions Of Section 17 Of Act No. 723 Of 1952 Relating To Suspensions Or Revocations Of Drivers' Licenses By The Highway Department Applicable To All Suspensions Or Revocations Regardless Of Whether Such Authority Is Now Or May Hereafter Be Possessed By The Highway Department, So As To Limit The Suspensions Or Revocations To The Drivers' Licenses Under Authority Of The Act No. 723 Of 1952, To The Revocation Of Licenses Only.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. When Act 723 of 1952 to apply concerning revocation or suspension of driver's licenses.—Act No. 800 of 1958 is amended by striking out all of Section 1 and inserting in lieu thereof the following which shall be Section 1 of the act :

“Section 1. The provisions of Section 17 of Act No. 723 of 1952 shall apply in all cases where the Highway Department suspends or revokes the driver's license of any person under lawful authority now or hereafter possessed by the Department except in those cases provided for in Section 46-175, as amended, in which case the license only shall be suspended and not the registration.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R952, H2279)

No. 830

An Act To Amend Act No. 168 Of The Acts And Joint Resolutions Of The General Assembly Of South Carolina, 1955, Establishing A Point System For Motor Vehicle Traffic Law Violations, So As To Eliminate From Section 2 Of The Act The Reference To “Using Smoke Screen 6 Points”.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 168 of 1955 amended—point system established—schedule for violations.—Act No. 168 of 1955 is amended by deleting from Section 2 of the act the reference “Using smoke screen 6 Points” so that when so amended, Section 2 of Act No. 168 shall read as follows :

“Section 2. There is hereby established a point system for the evaluation of the operating record of persons to whom a license to operate motor vehicles has been granted, and for the determination of the continuing qualifications of such persons for the privileges granted by such license to operate motor vehicles. The system shall have as its basic element a graduated scale of points assigning

relative values to the various violations in accordance with the following schedule:

"VIOLATION	POINTS
Reckless Driving	6
Passing stopped school bus	6
Hit-and-run, property damage only	6
Driving too fast for conditions, or speeding	4
Disobedience of any official traffic control device	4
Disobedience to officer directing traffic	4
Failing to yield right of way	4
Driving on wrong side of road	4
Passing unlawfully	4
Turning unlawfully	4
Driving through or within safety zone	4
Failing to give signal, or giving improper signal for stopping, turning or suddenly decreased speed	2
Shifting lanes without safety precaution	2
Improper dangerous parking	2
Following too closely	2
Failing to dim lights	2
Operating with improper lights	2
Operating with improper brakes	2
Operating a vehicle in unsafe condition	2
Driving in improper lane	2"

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R953, H2282)

No. 831

An Act To Provide That No Person Shall Be Committed To An Institution Under The Control Of The Board Of State Industrial Schools Who Is Epileptic, Mentally Ill Or Mentally Defective And To Provide For The Disposition Of Persons Who Become So Afflicted While An Inmate Of Such An Institution.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Epileptics, mentally ill or paralytics not to be committed to industrial schools.—No person shall be committed to an institution under the control of the Board of State Industrial Schools who is epileptic, mentally ill or mentally defective. The court when committing such person shall furnish a statement of such facts as can be ascertained concerning his personal and family history. If it shall develop, after a person is committed to an institution, that he is epileptic, mentally ill, mentally defective or paralytic he may be transferred by the board to such other State institution as in its judgment is best qualified to care for him in accordance with the laws of this State. But no transfer to any State mental health facility shall be made without the approval of the South Carolina Mental Health Commission.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R954, H2317)

No. 832

An Act To Authorize Banks Under The Supervision Of The Board Of Bank Control To Invest In Corporations Whose Purpose Is To Provide Clerical Services For Them, And For Other Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Citation of act.—This act shall be cited as the "Bank Service Corporation Act."

SECTION 2. Definitions.—For the purposes of this act—

(a) The term "bank service corporation" means a corporation whose primary purpose is to perform for two or more banks having an investment in the corporation services such as check and deposit sorting and posting, computation and posting of interest and other credits and charges, preparation and mailing of statements, notices, and similar items, or any other similar clerical or bookkeeping function.

(b) The terms "invest" and "investment" include any advance of funds to a bank service corporation, whether by purchase of stock, the making of a loan, or otherwise, except a payment for earned

rent, goods sold and delivered, or services rendered prior to the making of such payment.

SECTION 3. Investments.—Notwithstanding any contrary provision of law relating to banks, a bank may at any time have outstanding investments in a bank service corporation not exceeding ten per cent of the bank's capital and surplus at such time.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R956, H2407)

No. 833

An Act To Create The South Carolina Defense Scholarship Fund, To Provide An Appropriation, To Provide For Loans To Be Made By The Fund And To Provide For Payment Of The Loans.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly of the State of South Carolina finds that in order to assure the fullest development of the mental resources and technical skills of the young men and women of South Carolina the accredited institutions of higher learning should be granted financial assistance which will enable them to take advantage of the National Defense Education Program as set forth in Chapter 17 of Title 20 of the United States Code, Annotated.

Sub-Chapter II of Chapter 17 of Title 20 provides that in order to stimulate and assist in the education of students at institutions of higher education who are highly qualified in the fields of science, mathematics, engineering, or modern foreign languages, but who are in need of financial assistance, grants shall be made to institutions of higher learning in all states from an allotment to each state of an amount which bears the same ratio to the amount appropriated for all states as the number of persons enrolled on a full-time basis in institutions of higher education in each state bears to the total number of persons enrolled on a full-time basis in institutions of higher learning in all of the states.

All institutions entering into the National Defense Education Program must contribute to the student loan fund one ninth of the amount contributed by the Federal Government.

Students receiving loans under the National Defense Education Program must repay the loan in equal annual instalments of principal and interest beginning one year after termination of study at the institution and ending eleven years after such date, except that the due date of instalments shall be extended by such time as spent for periods of further study, terms of military service and service as a full-time teacher in public schools.

It is believed by the members of the General Assembly that the National Defense Education Program is a worthy program and that state supported institutions of higher education should be granted funds sufficient to take advantage of the maximum benefits of the program.

SECTION 2. South Carolina Defense Scholarship Fund created, appropriation—allocations.—The South Carolina Defense Scholarship Fund is hereby created for which the sum of one hundred twenty thousand dollars is hereby appropriated from the General Fund for the fiscal year 1962-1963. Additional appropriations to the Fund may be made in annual General Appropriation Acts. The State Budget and Control Board shall administer the Fund and shall allocate to state supported institutions of higher learning which have elected to make loans to students under the provisions of Sub-Chapter II of Chapter 17 of Title 20, United States Code, Annotated, their equitable share of the funds appropriated, so as to enable the institutions to contribute to the fund created as required by Federal Law, a sum equal to one ninth of the total federal capital contributed. The allocations made to institutions of higher learning shall be deemed loans by the State to the institutions and payment on the loans shall be made as directed by the Budget and Control Board. Interest on the loans shall not exceed three per cent per annum.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R958, H2427)

No. 834**An Act To Prohibit The Importation Of Meat Of Any Kind Into South Carolina Which Is Not Pure And Disease Free.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Imported meat to be pure.—It shall be unlawful to import from foreign countries into the State of South Carolina any type of meat, whether fresh, dried or canned, which is not free of communicable diseases which adversely affect the people of South Carolina and the animal life of the State. All foreign meats imported into the State and offered for sale wholesale and retail shall be labeled "imported." The word imported shall be of size twenty-four point type.

SECTION 2. Board of Health to enforce act.—The State Board of Health is charged with the enforcement of the provisions of this act. All meat found by the State Board of Health which is landed within the boundaries of the State and does not comply with the provisions of this act shall be confiscated and destroyed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R959, H2450)

No. 835**An Act To Amend Section 14-1007, Code Of Laws Of South Carolina, 1952, Relating To Compensation Of Employees Of Beaufort County, So As To Further Provide For The Compensation Of County Officers And Employees Of Beaufort County, And To Amend Title 14, Code Of Laws Of South Carolina, 1952, By Adding New Sections Setting Forth The Method Of Compensating County Officers And Employees, And Establishing A System Of Accounting Of Fees And Other Charges In The Nature Of Fees Required By Law To Be Collected By Officers And Employees Of Beaufort County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-1007, 1952 Code, amended—salaries of Beaufort county officers and employees.—Section 14-1007, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 14-1007. Salaries for all county officers and employees of Beaufort County shall be as fixed and provided for in the annual Beaufort County Appropriations Act.”

SECTION 2. 1952 Code amended—Sections 14-1007.1 through 14-1007.6 added—Beaufort County—salaries to be in lieu of fees—receipt books—salary to be withheld for failure to comply with act—payment of certain clerk of court fees—liability of officials for collection of fees—penalties.—Title 14, Code of Laws of South Carolina, 1952, is amended by adding the following new sections:

“Section 14-1007.1. The salaries paid to county officers and employees of Beaufort County shall be in lieu of all fees, including fees for mileage, penalties, licenses, costs, commissions and any other charges or compensation in the nature of fees now provided by law.

All fees, mileage, penalties, licenses, costs, commissions and any other charges or compensation in the nature of fees collected by any officer or employee of Beaufort County shall be paid into the general funds of Beaufort County by the officer or employee responsible for the collection thereof. This section shall not apply to mileage or travel allowances paid out of funds appropriated pursuant to law.

“Section 14-1007.2. The county board of directors shall prepare, and deliver to the county treasurer, receipt books in triplicate consecutively numbered. The treasurer shall deliver such receipt books to the various county officers or employees responsible for the collection of fees and other payments or charges contemplated in this act. The person collecting the fees or charges shall fill out the receipt therefor in triplicate, delivering the original to the party paying such fee or charge. By the tenth day of each month the person responsible for the collection of such fees or charges shall submit a verified itemized statement to the county treasurer showing the gross amount of such fees and charges received during the preceding calendar month, the unpaid amount of such fees and charges for items which have been handled on credit during the preceding month, and an itemization of the various matters or items handled by such person for which fees or other payments in the nature of fees have been collected or charged. The duplicate copies of the receipts issued by such person shall be submitted to the treasurer along with such statement and the fees collected shall be delivered to the treasurer for deposit by him to the general funds of the county. The treasurer shall retain the duplicate copies of the receipts issued and the person issuing the receipts shall retain the triplicate copy which shall be filed by him as a permanent record for audit and for inspection by the public.

“Section 14-1007.3. By the fifteenth of each month the treasurer shall notify the board of directors whether or not any county officer or employee has complied with the provisions of this act and if it appears that any officer or employee has failed to comply, the board of directors shall withhold any further payment of salary to such officer or employee until compliance be made.

“Section 14-1007.4. A litigant in the courts of common pleas or general sessions of the county shall not be required to pay in advance any fee for the filing of the necessary papers in the office of the clerk of court, and the payment of all costs may await the final outcome of the action and shall be taxed against the losing party or as ordered by the court. Upon such taxation all costs properly taxable shall be taxed in accordance with law, however:

(1) No judgment shall be entered by the clerk of court for the county until the costs then accrued have been paid;

(2) When a complaint has been filed, a certificate of the clerk of court that the costs have been paid shall be necessary before any settlement of the case shall be valid; and

(3) All costs and fees in actions of foreclosure of mortgages of real estate or other liens on real or personal property and in actions for partition of real estate through a sale thereof may be taxed and paid out of the proceeds of sale of the property by the officer making the sale.

“Section 14-1007.5. Any of such officers or employees who shall fail to collect such fees or charges in advance, except as otherwise herein permitted, shall be personally liable therefor and shall make payment thereof as if he had collected them.

“Section 14-1007.6. Any wilful or intentional violation of any of the provisions of this act by any of the county officers or employees shall be a ground for removal from office by the Governor or discharge from employment as the case may be in the manner now provided by law.”

SECTION 3. Not to affect present officials.—The provisions of Section 2 hereof shall be effective as to the various offices and officers affected thereby only upon the expiration of the present term of office of the incumbent.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R960, H2452)

No. 836**An Act To Establish A Property Board Of Trustees For The Mental Health Center Of Darlington And Florence Counties And To Repeal Act No. 49 Of The Acts And Joint Resolutions Of 1959.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Property Board of Trustees of the Mental Health Center for Darlington and Florence Counties created.—There is hereby created the Property Board of Trustees of the Mental Health Center for Darlington and Florence Counties to be composed of five members, three of whom shall be from Florence County and two of whom shall be from Darlington County.

SECTION 2. Appointments and terms.—The initial members of the board shall be appointed by the Senator and a majority of the house delegation of the respective counties and they shall draw lots to determine which of them shall serve for one year and which shall serve for two years.

SECTION 3. Vacancies.—All vacancies on the board shall be filled by a majority vote of the remaining members of the board to serve the unexpired term. Upon the completion of the term of a member his successor shall be elected by a majority vote of the remaining members of the board; *provided*, however, that upon any vacancy or expiration of office of any member his successor shall be a resident of the county of his predecessor. If any member of the board changes his residence from the county from which he was elected he shall automatically cease to be a member of the board.

SECTION 4. Board to hold title to property.—The board shall hold title to the property, real and personal, which is presently held by the Board of Trustees of the Mental Health Center for Darlington and Florence Counties and shall collect rents for the use of such property. The rents shall be spent for the maintenance of the buildings and grounds conveyed to the board.

SECTION 5. Transfer of property to board.—The Board of Trustees of the Mental Health Center for Darlington and Florence Counties shall convey all property to which it has title to the Property Board of Trustees.

SECTION 6. Act 49 of 1959 repealed.—Act No. 49 of the Acts of 1959 is repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R964, H2481)

No. 837

An Act To Amend Section 2 Of Act 154 Of 1955, Relating To The Adoption And Discontinuance Of Council-Manager Form Of Government, So As To Make Special Provisions For Towns Having Not Less Than Eight Thousand Nor More Than Eight Thousand Two Hundred And Fifty Inhabitants By The Latest Official United States Census.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 154 of 1955 amended—special provisions for certain municipalities.—Section 2 of Act 154 of 1955 is amended by adding at the end thereof the following :

“Provided, that a referendum for the adoption of discontinuance of a Council-Manager form of government shall not be held in any city or town which by the latest official United States Census had a population of between eight thousand and eight thousand two hundred and fifty inhabitants in greater frequency than once in five years and then by a petition to the city council signed by not less than twenty-five per cent of the qualified electors of the town.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R966, H2484)

No. 838

An Act To Amend Act 114 Of 1959, Relating To The Horry County Higher Education Commission, So As To Further Provide For The Use Of The Three Mill Levy Contained Therein And To Authorize Borrowing Against The Levy.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 114 of 1959 amended—disposition of tax levy—commission may borrow money—payment—real estate transactions.—Section 3 of Act 114 of 1959 is amended by adding at the end thereof the following:

“(A) Upon written request or requisition by the Chairman of the Horry County Higher Education Commission, the Treasurer of Horry County shall pay over to the commission from time to time any of the proceeds of the levy which may be on hand except a sufficient amount to retire any obligation created under the provisions of this act. The commission may pay over to the Horry County Scholarship Board such sums as it deems advisable for scholarship purposes as such funds become available, exclusive of such funds as are necessary to meet outstanding obligations.

(B) The Horry County Higher Education Commission may borrow money to be used for school construction purposes through the fiscal year ending June 30, 1977 in such amounts as may be required from time to time, not to exceed in the aggregate, including principal, interest and costs of such borrowing, such amounts as the Treasurer of Horry County shall certify may reasonably be anticipated to be thereafter collected from the three mill levy provided in this section through the fiscal year ending June 30, 1977. Notes or other obligations shall be executed and delivered as evidence of such borrowing; they shall be signed by the chairman of the commission and countersigned by the treasurer whose countersignature shall be a sufficient certification to any holder of such obligation that it is authorized by this act; the rates of interest may be fixed by the commission and the treasurer, subject only to the restriction that no such obligation shall mature later than June 30, 1977; and the obligations when issued shall be and constitute legal and binding obligations of Horry County. The total amounts borrowed under this act may be greater than the limitation imposed herein, but the commission and the treasurer shall at no time have outstanding obligations in excess of the amount which may reasonably be anticipated to be collected from the three mill levy prior to and including June 30, 1977.

(C) The special levy provided in this section and subject to the further provisions herein provided, together with the full faith, credit and taxing power of Horry County, is irrevocably pledged to the payment of all obligations issued pursuant to this act.

(D) Obligations issued pursuant to this act are exempted from the payment of all county, State and municipal taxes.

(E) The Horry County Higher Education Commission, in addition to such authority as is hereinabove provided, may buy, sell, lease, manage and mortgage real estate, or otherwise hold title or deal with real estate as may within its discretion be necessary in carrying out the provisions of this act.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R967, H2485)

No. 839

An Act To Amend Act No. 382 Of 1957 Relating To The Horry County Educational Fund And Scholarship Board, So As To Further Provide For The Membership Of The Board And The Transaction Of Business By The Board; To Further Provide For Scholarships And To Authorize Scholarship Grants.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 382 of 1957 amended—appointments—terms—members—chairman—executive committee.—Section 3 of Act No. 382 of 1957 is amended by striking the last sentence and inserting in lieu thereof the following: “The membership of the board shall be composed of one person from each of the eight high school areas in Horry County and a chairman to be appointed from the county at large. The business of the board may be conducted by an executive committee composed of the chairman and two members elected by the board; *provided*, all such business shall be approved by the board.” The section when amended shall read as follows:

“Section 3. The members of the Horry County Scholarship Board shall be appointed by the Governor upon the recommendations of a majority of the Horry County Legislative Delegation, including the Senator, such recommendations to be based on the nominations of the Coastal Educational Foundation, Inc. The members of the board shall serve for terms of three years and until their successors are appointed and qualified, except that of the members first appointed, one third shall serve for one year, one third shall serve for two years and one third shall serve for three years. The membership

of the board shall be composed of one person from each of the eight high school areas in Horry County, and a chairman to be appointed from the county at large. The business of the board may be conducted by an executive committee composed of the chairman and two members elected by the board; *provided*, all such business shall be approved by the board."

SECTION 2. Section 4 of Act 382 of 1957 amended—scholarships—number—value—eligibility requirements.—Section 4 of Act No. 382 of 1957 is amended by striking the word "three" on the sixth line and inserting in lieu thereof the word "five", and by deleting the last sentence of the first paragraph, so that when amended the section shall read as follows:

"Section 4. As aid and encouragement to students who, for the lack of financial means, are not able to attend a college of higher learning, there are established a number of beneficiary scholarships. The number of scholarships in any one scholastic year shall be determined by the board, within the limit of the applicable funds. The value of a scholarship shall not exceed five hundred dollars per year for four years and may be of such lesser amounts as fixed by the board. The scholarship fund shall be available to any student attending any college or university, which may be a public or nonpublic-supported institution.

In order to be eligible for a scholarship, the applicant must be a resident of Horry County and be able to meet the entrance requirements of the college of his choice and must meet such other standards as may from time to time be fixed by the board.

Before granting any scholarship, it is made the duty of the board to make careful examination as to the worthiness of any applicant for a scholarship and to satisfy itself that the applicant, his parents, guardian or other person who may be under obligation to provide him with an education is without financial means to do so. In selecting a beneficiary due consideration shall be given not only to the need of financial aid, but also to those moral and mental qualities which give promise of development by education into the making of worthy and useful citizens, and in making these selections the board shall confer and advise with the faculty of the school who has taught and been most intimately associated with the applicants for the aid provided by this act."

SECTION 3. Section 9 of Act 382 of 1957 amended—accept gifts and grants—scholarship grants authorized.—Section 9 of

Act No. 382 of 1957 is amended by adding at the end thereof the following: "Such funds as may from time to time be paid into the Horry County Educational Fund by the Horry County Higher Education Commission shall be administered by the board as herein provided, however, the board may, within its discretion, make scholarship grants rather than scholarship loans from such funds." The section when amended shall read as follows:

"Section 9. The board may accept gifts and grants of money or property from either private or public sources to be used in the promotion of this program. Such funds as may from time to time be paid into the Horry County Educational Fund by the Horry County Higher Education Commission shall be administered by the board as herein provided, however, the board may, within its discretion, make scholarship grants rather than scholarship loans from such funds."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R972, H2501)

No. 840

An Act To Amend Section 15-1613, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms Of Civil Court For Florence County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1613, 1952 Code, amended—terms of Civil Court for Florence County.—Section 15-1613 of the 1952 Code, as amended, is further amended by striking it out and inserting in lieu thereof the following:

"Section 15-1613. The court shall hold its sessions in the county courthouse at the county seat of Florence County on the third Monday in February for one week on the fourth Monday in February for one week, on the third Monday in March for one week, on the fourth Monday in March for one week, on the third Monday in April for one week, on the first Monday in May for one week, on the second Monday in May for one week, on the third Monday in June for one week, on the fourth Monday in June for one

week, on the third Monday in September for one week, on the fourth Monday in September for one week, on the third Monday in October for one week, on the fourth Monday in October for one week, on the third Monday in November for one week and on the fourth Monday in November for one week. Whenever it shall satisfactorily appear to the judge that the public interest requires the holding of a special term of court, he may order a special term to be held at such time as provided by the order. Such notice of the holding thereof shall be given as the judge may by order provide, which shall be entered upon the records by the clerk. The court shall continue in session at each of its terms until the business before it has been disposed of and shall be open for the trial of cases from the beginning to the end of each of the terms. The judge of the court shall maintain open court at all times for the hearing of causes without a jury, providing that during the month of August of each year there shall be no session of the court held."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R975, H2513)

No. 841

An Act To Provide For The Appointment Of The Berkeley-Charleston-Dorchester Tri-County Committee For Technical Training And To Set Forth Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Tri-County Committee of Technical Training created—appointments—terms—officers—reports.—There is hereby created the Tri-County Committee of Technical Training, composed of the counties of Berkeley, Charleston and Dorchester, which shall be a body politic and corporate and which shall consist of nine members. The members from each county shall be appointed by the Governor upon the recommendation of a majority of the legislative delegations of the respective counties. One from each of the counties shall have a term of one year, one from each of the counties shall have a term of two years and the remaining three, one from each of the counties, shall have a term of three years. Thereafter their succes-

sors shall have terms of three years. The committee shall meet as soon after appointment as practicable and shall organize by electing a chairman and such other officers as it deems necessary. Thereafter the committee shall meet upon the call of the chairman or a majority of its members. It shall make periodic reports of its activities and progress to the legislative delegations.

SECTION 2. Powers and duties.—The committee shall be responsible for the development and implementation of an adequate vocational and technical training program, which shall include, but not be limited to, the following: (1) a program coordinated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries; (2) increased emphasis on industrial arts programs and basic industrial vocational programs within existing high school curriculums; (3) technical training programs primarily designed to train high school graduates as technicians for initial employment in industry; and (4) provide trade extension courses to persons who desire employment in industries and also to those presently employed who wish to improve their skills. The committee, in carrying out these programs, shall cooperate with all State and Federal agencies designed to further technical education. The committee may purchase or lease such equipment, hire such personnel, including a superintendent and instructors, enter into such contracts, make such rules and regulations and may do such other things as may be necessary in order to carry out the provisions of this act, or to qualify to receive State or Federal aid under any present or future statute, policy or regulation. The committee shall be considered an operating unit under the general laws governing the lending of funds for capital improvements by the State Educational Finance Commission.

SECTION 3. Powers and duties further.—The committee shall receive and administer the funds received by it from all sources and make its accounting annually to the legislative delegations of the counties involved. The committee may receive gifts or grants of funds or property of any nature.

SECTION 4. Budget.—The committee shall submit a budget for the ensuing fiscal year on or before February fifteenth of each year to the respective legislative delegations.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R976, H2514)

No. 842

An Act To Amend Section 53-72, Code Of Laws Of South Carolina, 1952, Relating To The Deputy Sheriff For Charleston County, So As To Provide For An Additional Deputy.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 53-72, 1952 Code, amended—Charleston County—appointment of deputy sheriffs—salaries.—Section 53-72 of the 1952 Code is amended by striking the words “one deputy sheriff” on line 1 and inserting in lieu thereof “two deputy sheriffs,” and by striking on line 8 the word “sheriff” and inserting in lieu thereof the word “sheriffs,” and by adding at the end thereof the following: “The salaries of the deputies shall be set by the governing body of the county.”, so that, when so amended, the section shall read as follows:

“Section 53-72. In Charleston County there shall be two deputy sheriffs appointed under Section 53-71, who shall be appointed by the county sheriff, upon the approval of the governing body of the county and of the circuit court or any circuit judge presiding therein. Such appointment shall be evidenced by a certificate thereof, signed by the sheriff, with the approvals required herein endorsed thereon and shall continue for the full term for which the sheriff shall have been elected, regardless of any change, however caused, in the office of sheriff. Such deputy sheriffs shall be removable from office only in the manner and for the causes or reasons now provided by law for the removal of sheriffs. The salaries of the deputies shall be set by the governing body of the county.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R977, H2516)

No. 843

An Act To Amend Section 2 Of Act No. 99 Of The Acts Of 1953, As Amended, Relating To The Criminal Jurisdiction Of The Civil And Criminal Court Of Horry County, So As To Make Further Provision Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subparagraph (b), Section 2 of Act 99 of 1953, amended—jurisdiction of criminal division.—Subparagraph (b) of Section 2 of Act No. 99 of the Acts of 1953, as last amended by Act No. 127 of the Acts of 1961, is further amended by deleting beginning on line four the following: “assault and battery of a high and aggravated nature, assault and battery with intent to kill”, so that when amended the subparagraph shall read as follows:

“(b) The criminal division shall have concurrent jurisdiction with the court of general sessions to try and determine all criminal cases except cases for murder, manslaughter, rape, assault with intent to ravish, arson, common law burglary, bribery, perjury, and any other cases in which the maximum penalty is in excess of ten years as is now provided by law.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R978, H2517)

No. 844

An Act To Add Section 59-536.4 To The Code Of Laws Of South Carolina, 1952, So As To Authorize Municipalities In Orangeburg County Owning Sewerage Disposal Systems, Or Gas Distribution Systems To Furnish Such Service Outside The Municipalities By Contract.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 59-536.4 added—municipalities in Orangeburg County may furnish sewerage disposal services or natural gas services beyond city limits.—The Code of Laws of South Carolina, 1952, is amended by adding the following new section thereto to read as follows:

“Section 59-536.4. All municipalities in Orangeburg County owning sewerage disposal systems, or natural gas distribution systems, may, through the proper officials of the municipality enter into contract with persons without the corporate limits to furnish such persons sewerage disposal facilities, or natural gas facilities, and services,

upon such terms, rates and charges as may be fixed by contract between the parties when in the judgment of the proper officials it is for the best interests of the municipality.

No contract shall be for a longer period than fifty years, but any contract may be renewed from time to time for periods not exceeding fifty years, and any contracts of a similar nature heretofore entered into by the City of Orangeburg are hereby specifically ratified and confirmed."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R979, H2518)

No. 845

An Act To Amend Sections 14-3344.5 And 14-3344.8, Code Of Laws Of South Carolina, 1952, Relating To Exemptions From The General Purchasing Law And To The Sale Of Surplus Or Obsolete Property In Spartanburg County, Respectively, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (a) of Section 14-3344.5, 1952 Code, amended—exemptions.—Subsection (a) of Section 14-3344.5, Code of Laws of South Carolina, 1952, is amended by striking it out in its entirety and inserting in lieu thereof the following :

"(a) All foodstuffs."

SECTION 2. Subsection (d) of Section 14-3344.5, 1952 Code, amended—exemptions.—Subsection (d) of Section 14-3344.5, Code of Laws of South Carolina, 1952, is amended by striking out the words "twenty-five" on line two and inserting in lieu thereof the words "seventy-five", so that when amended the subsection shall read as follows :

"(d) Any supplies, materials and equipment costing less than seventy-five dollars; *provided*, that the purchasing officer or head of department, institution, agency or association has only an occasional need therefor so as to render it impracticable to buy in quantity or under price agreement contract."

SECTION 3. Section 14-3344.8, 1952 Code, amended—exceptions.—Section 14-3344.8, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following:

“Provided, that the proceeds of such sales by the Spartanburg County General Hospital shall be retained for use by the hospital. Provided, further, that the provisions of this section relating to advertisement and competitive bids shall not be applicable to sales when the value of the property being sold does not exceed seventy-five dollars.”

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R980, H2521)

No. 846

An Act To Provide For The Appointment And Qualification Of Jailers For The Spartanburg County Jail.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County jailers—appointments—take correspondence courses.—The Sheriff of Spartanburg County shall appoint, in writing, the jailers for the Spartanburg County jail. A copy of the appointments shall be deposited in the office of the Clerk of Court of Spartanburg County. Every jailer so appointed shall, within sixty days from the date of appointment, enroll in the free correspondence course on jail security offered by the Federal Bureau of Prisons, and satisfactorily complete the course within six months of his appointment.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R985, S503)

No. 847

An Act To Provide For The Organization And Regulation Of Business Corporations In The State By Enacting The South Carolina Business Corporation Act Of 1962, And To Repeal Chapters 1 Through 8 And Chapters 10 And 11 Of Title 12 Of The Code Of Laws Of South Carolina, 1952, And All Other Acts Or Parts Of Acts Inconsistent With The Business Corporation Act.

Be it enacted by the General Assembly of the State of South Carolina:

Chapter 1. GENERAL PROVISIONS

SECTION 1.1. Title.

This Act shall be known and may be cited as the "South Carolina Business Corporation Act of 1962."

SECTION 1.2. Definitions.

As used in this Act, unless the context otherwise requires:

(a) "Person" means an individual, a corporation (domestic or foreign), a partnership, an association, a trust or a fiduciary.

(b) "Corporation" or "domestic corporation" means a corporation for profit formed under the laws of this State.

(c) "Foreign corporation" means a corporation for profit formed under the laws of a jurisdiction other than this State.

(d) "Articles of incorporation" or "articles" means the original or restated articles of incorporation and all amendments thereto. It includes articles of merger, certificate of incorporation, and what has heretofore been designated as a charter or declaration for charter.

(e) "Shares" means the units into which the proprietary interests in a corporation are divided.

(f) "Subscriber" means one who subscribes for shares in a corporation, whether before or after incorporation.

(g) "Shareholder" means one who is a holder of record of shares in a corporation.

(h) "Authorized Shares" means the shares of all classes which the corporation is authorized to issue.

(i) To "cancel" a share means to eliminate it from the authorized shares of the corporation.

(j) To "retire" a share means to restore it to the status of an authorized but unissued share.

(k) "Treasury shares" means shares of a corporation which have been issued, have been subsequently acquired by the corporation, and have not, either by reason of the acquisition or otherwise, been

cancelled or retired. Such shares shall be deemed to be issued, but they shall not be considered as an asset or liability of the corporation, or as outstanding for dividend, quorum, voting or other purposes.

(l) "Stated capital" means, at any particular time, the sum of (1) the par value of all issued shares of the corporation having a par value, (2) the amount of the consideration received by the corporation for all issued shares of the corporation without par value, except such part of the consideration therefor as may have been allocated to capital surplus in a manner permitted by law, and (3) such amounts not included in clauses (1) and (2) of this sentence as have been transferred to stated capital of the corporation, whether upon issue of shares as a share dividend or otherwise, less all reductions from such sum as have been effected in a manner permitted by law.

(m) "Assets" means, at any particular time, those properties and rights which are properly entered in the accounts and balance sheets of business enterprises in terms of a monetary value.

(n) "Debts" means, at any particular time, all those debts and claims which either are known to impose a fixed obligation of payment or, if contingent, have sufficient possibility of becoming fixed as to require an estimate of their probable amount.

(o) "Net Assets" means the amount by which the total assets of a corporation exceed the total debts of the corporation.

(p) "Surplus" means the excess of the net assets of a corporation over its stated capital.

(q) "Earned surplus" means that portion of the surplus of a corporation equal in amount to the balance of its net profits, income, gains, and losses from the date of incorporation, or from the latest date when a deficit was eliminated by application of its capital surplus, after deducting subsequent distributions to shareholders and transfers to stated capital and capital surplus to the extent that such distributions and transfers are made out of earned surplus. Unrealized appreciation of assets shall not be included in earned surplus.

(r) "Capital surplus" means the entire surplus of a corporation other than its earned surplus.

(s) "Insolvent" means inability of the corporation to pay its debts as they become due in the usual course of its business.

(t) "Fraud," "deceit," and "defraud" are not limited to common-law deceit.

(u) "State" means the United States, any state, territory, insular possession, or other political subdivision of the United States, in-

cluding the District of Columbia; any foreign country or nation; and any province, territory, or other political subdivision of such foreign country or nation.

(v) "Court" or "court of the county" means the court of common pleas or the court in the county having concurrent equity jurisdiction therewith.

SECTION 1.3. Application of Act.

(a) The provisions of this Act shall apply to

(1) all domestic corporations for profit, including corporations organized under any prior general corporation act of this State, and any corporation created by special act of the General Assembly to the extent that power has been reserved to repeal, amend, or alter such special Act, and

(2) all foreign corporations which do business in this State whether or not authorized to do so.

(b) The provisions of this Act shall not apply to any class of corporations to the extent that (1) such class is specifically exempted from the operation of this Act or any of its provisions, or (2) any provision of any other statute is specifically applicable to such class of corporations and is inconsistent with any provision of this Act, in which case such other provision shall prevail.

(c) The provisions of this Act shall apply to commerce with foreign nations and among the several states, and to corporations formed by or under any Act of Congress, only to the extent permitted under the Constitution and laws of the United States.

(d) The enactment of this Act shall not affect the existence of any corporation existing on the effective date of this Act, and its shareholders, directors, and officers shall have the same rights and be subject to the same limitations, restrictions, liabilities and penalties as a corporation organized after the effective date.

(e) The enactment of this Act shall not affect any cause of action, liability, penalty, or action which on the effective date of this Act is accrued, existing, incurred or pending, but the same may be asserted, enforced, prosecuted or defended as if this Act had not been enacted.

SECTION 1.4. Execution of Documents.

Whenever any provision of this Act specifically requires any document to be executed by the corporation in accordance with this section, unless otherwise specifically stated in this Act and subject to

any additional provisions of this Act, such requirement shall mean that:

(a) There shall be one original executed and one conformed copy of the document.

(b) The original document shall be signed:

(1) In the case of articles of incorporation, by the incorporator or incorporators;

(2) In the case of other documents:

(A) By the president or a vice-president, and by the secretary or an assistant secretary; or such other person as the by-laws may designate; or

(B) By a majority of the directors or by such directors as may be designated by a majority of directors then in office; or

(C) By the holders, or such of them as may be designated by the holders, of record of a majority of all outstanding shares entitled to vote thereon; or

(D) By the holders of all of the outstanding shares of the corporation.

(c) Any person signing a document shall, either opposite or beneath his signature, clearly and legibly state his name and the capacity in which he signs.

(d) The original document and any copy thereof shall set forth the title of the document at the head thereof.

(e) The original document and any copy thereof shall set forth the current address of the corporation, the street or rural route address, post office box (if any), town or city, county, and state.

SECTION 1.5. Verification and Acknowledgment of Documents.

(a) Except where it is specifically required by a provision of this Act or by any other statute, no document required by this Act need be verified or acknowledged.

(b) Whenever any provision of this Act specifically requires any document to be verified in accordance with this section, unless otherwise specifically stated in this Act, such requirement shall mean that at the conclusion of the document, there shall be a certificate signed by each person signing the document:

(1) That he has read and understood the meaning and purport of the statements contained in the document;

(2) That such statements are true, or that he is informed or believes that such statements are true; and

(3) That he signed the document, and in the case of one signing in a representative capacity, that he had the authority so to sign. Where practicable, all persons signing the document may sign the same certificate.

(c) If the original executed document is verified, the conformed copy may either reproduce the certificate of verification or may state that the original document was duly verified by all persons signing.

SECTION 1.6. Delivery of Documents For Filing.

(a) If any provision of this Act requires any document to be delivered for filing in accordance with this section, unless otherwise specifically stated in this Act and subject to any additional provisions of this Act, such requirement shall mean that:

(1) The original executed document, together with the conformed copy, shall be delivered to the office of the Secretary of State.

(2) All fees and taxes required for filing the document shall be tendered to the Secretary of State.

(3) Upon delivery of the documents, and upon tender of the required fees and taxes, the Secretary of State shall certify that the original has been filed in his office by endorsing upon the original the word "Filed" and the hour, day, month and year thereof. Such endorsement shall be known as the "filing date" of the document, and shall be conclusive of the date of filing in the absence of actual fraud. The Secretary shall thereafter file and index the original.

(4) The Secretary shall immediately compare the conformed copy with the original, and if he finds that they are identical, he shall certify the conformed copy by making upon it the same endorsement which is required to appear upon the original, together with a further endorsement that the conformed copy is a true copy of the original document.

(5) The conformed copy, so certified, shall be returned to the person or persons delivering the documents to the Secretary of State and it shall be retained as a part of the permanent records of the corporation.

(b) Any document required to be filed shall be fully effective as of the filing date of the document, and the transaction shall be deemed, as of the filing date, to have been completely consummated.

SECTION 1.7. Effect of Corporate Seal on Document.

(a) The seal of the corporation may, but need not, be affixed to any document executed in accordance with Section 1.4 (Execution of Documents), and its absence therefrom shall not impair the validity of the document or of any action taken in pursuance thereof or in reliance thereon.

(b) The presence of the corporate seal on a document purporting to be executed by authority of a domestic or foreign corporation shall be prima facie evidence that the document was so executed.

SECTION 1.8. Computation of Time for Notice.

In computing the period of time for the giving of any notice required or permitted under this Act, or under the articles, the bylaws of the corporation, or a resolution of its shareholders or directors, the day on which the notice is given shall be excluded, and the day when the act for which notice is given to be done shall be included, unless the instrument calling for the notice otherwise specifically provides.

SECTION 1.9. Reservation of Power by General Assembly.

The General Assembly of South Carolina reserves at all times the power and right:

(a) to prescribe, as it may deem advisable, regulations, provisions, limitations, and requirements which shall be binding upon any and all corporations, domestic and foreign, subject to the provisions of this Act, and

(b) to amend, repeal, or modify this Act, in whole or in part, at pleasure.

SECTION 1.10. Effect of Invalidity of Part of this Act.

If any provision of this Act or any application of any provision to any person or circumstances is held unconstitutional or otherwise invalid, such invalidity shall not nullify or otherwise impair the remainder of this Act or any other provision or application thereof, but the effect shall be confined to the specific provision held invalid, and for this purpose the provisions of this Act are declared to be severable.

Chapter 2. CORPORATE PURPOSES AND POWERS

SECTION 2.1. Corporate Purposes.

A corporation may be formed and do business under the provisions of this Act for any lawful business purpose or purposes.

SECTION 2.2. Powers of Corporation.

(a) Each corporation, unless otherwise stated in its articles of incorporation, shall have power in furtherance of its corporate purposes:

(1) To exist perpetually, unless a limited period of duration is specified in its articles of incorporation.

(2) To sue and be sued in its corporate name, and to participate in any judicial, administrative, arbitative, or other proceeding.

(3) To adopt and alter a corporate seal and to use the same or a facsimile thereof.

(4) To elect, appoint, or hire officers, agents, and employees of the corporation, and to define their duties and fix their compensation.

(5) To make and alter bylaws, not inconsistent with its articles of incorporation or with the laws of this State, for the administration and regulation of the affairs of the corporation.

(6) To cease its corporate activities and surrender its corporate franchise.

(7) To make donations for any charitable, scientific, educational, or welfare purpose for which a donor is entitled to a federal income tax deduction under the then applicable provisions of the United States Internal Revenue Code, provided that such donation is authorized or approved by the board of directors.

(8) To establish and carry out pension plans, pension trusts, profit-sharing plans, stock option plans, stock bonus plans, and other incentive plans for its directors, officers, and employees.

(9) With respect to any property of any description or interest therein:

(A) To acquire, by purchase, lease, gift, will or otherwise;

(B) To own, hold, use, improve, and otherwise deal in and with; and

(C) To sell, convey, encumber, lease, or otherwise dispose of such property.

(10) To make contracts and incur liabilities, borrow money, issue its notes and bonds and other obligations and secure any of its obligations by mortgage, pledge, or other encumbrance of its property, franchises and income.

(11) To enter into contracts of guaranty or suretyship.

(12) To lend money, invest its funds from time to time, and take and hold any property as security for payment of funds so loaned or invested.

(13) To conduct its business, carry on its operations, and have offices and exercise the powers granted by this Act in any state, territory, district, or possession of the United States, or in any foreign country.

(14) In any lawful manner to acquire, to hold and dispose of and exercise any power or right with respect to:

(A) The shares or other interest in, or obligations of, other domestic or foreign corporations, associations, partnerships, or individuals; and

(B) The obligations of the United States or any other government, state, territory, municipality, or governmental district, or of any instrumentality thereof.

(15) To form, or acquire the control of, other corporations.

(16) To participate with others in any corporation, partnership, transaction, arrangement, operation, organization, or venture which the corporation has power to conduct by itself, even if such participation involves sharing or delegation of control with or to others.

(17) To provide for its benefit insurance on the life of any of its directors, officers or employees.

(18) To reimburse and indemnify litigation expenses of directors, officers, and employees to the extent permitted by this Act.

(19) To purchase and otherwise acquire, and to dispose of, its own shares to the extent permitted by this Act.

(20) To have and exercise all powers necessary and proper to effect the purposes for which the corporation is organized.

(b) Except to the extent that the articles of incorporation otherwise provide, each corporation shall have power, at the request or direction of the United States Government or of any of its agencies, to transact any lawful business in time of war or national emergency, or in aid of national defense, notwithstanding the purpose or purposes set forth in its articles of incorporation.

(c) It shall not be necessary to set forth in the articles of incorporation any of the powers enumerated in this section.

SECTION 2.3. Defense of Ultra Vires.

No act of a corporation and no conveyance or transfer of real or personal property to or by a corporation shall be invalid by reason of the fact that the corporation was without capacity or power to do such act or to make or receive such conveyance or transfer, but such lack of capacity or power may be asserted:

(a) In a proceeding by a shareholder against the corporation to enjoin the doing of any act or acts or the transfer of real or personal property by or to the corporation. If the unauthorized acts or transfer sought to be enjoined are being, or are to be, performed or made pursuant to any contract to which the corporation is a party, the court may, if all of the parties to the contract are parties to the proceeding and if it deems the same to be equitable, set aside and enjoin the performance of such contract, and in so doing may allow to the corporation or to the other parties to the contract, as the case may be, compensation for the loss or damage sustained by either of them which may result from the action of the court in setting aside and enjoining the performance of such contract, but anticipated profit to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained.

(b) In a proceeding by the corporation, whether acting directly or through a receiver, trustee, or other legal representative, or through shareholders in a representative or derivative suit, against the incumbent or former officers or directors of the corporation.

(c) In a proceeding by the Attorney General, as provided in this Act, to dissolve the corporation, or in a proceeding by the Attorney General to enjoin the corporation from the transaction of unauthorized business.

Chapter 3. CORPORATE NAME, REGISTERED OFFICE AND AGENT, AND SERVICE OF PROCESS

SECTION 3.1. Corporate Name.

(a) The name of every domestic or foreign corporation:

(1) Shall contain the word "corporation," "incorporated," or "limited," or an abbreviation of one of such words.

(2) Shall not contain any word or phrase or abbreviation or derivative thereof which indicates or implies that the corporation

is organized for any purpose other than one or more of the purposes stated in its articles of incorporation.

(3) Shall not be the same as or deceptively similar to:

(A) The name of any domestic corporation existing under the laws of this State;

(B) The name of any foreign corporation authorized to do business in this State;

(C) Any name the exclusive right to which is, at the time, reserved in the manner provided by Section 3.2 (Reserved Name);

(D) The name of any corporation which has in effect a registration of its corporate name as provided in Section 3.3 (Registered Name); unless such other corporation has expressly consented in writing to the use of such name, and that consent has been filed with the Secretary of State.

(4) Shall not contain any word, phrase or abbreviation or derivative thereof which implies that the corporation:

(A) Transacts or has power to transact any business, including, without limitation, the business of insurance, banking, or transportation, for which authorization, in whatever form and however denominated, is required under the laws of this State, unless the appropriate commission or officer has granted such authorization and certifies that fact in writing;

(B) Is organized as, affiliated with, or sponsored by, any fraternal, veterans', service, religious, charitable, or professional organization, unless that fact is certified in writing by the organization with which affiliation or sponsorship is claimed.

(b) If the Secretary of State shall find that the name of a proposed corporation is inconsistent with any of the provisions of subsection (a), he shall refuse to file the articles of incorporation, or in the case of a foreign corporation its application for authority to do business in this State.

(c) If a domestic corporation has been duly incorporated, or a foreign corporation duly authorized to do business in this State, subsequent discovery of violation of this section shall not invalidate its corporate existence or authority, as the case may be, but the courts of this State may, upon application of the State or of any interested or affected person, enjoin such violation, and grant any other appropriate relief.

(d) The provisions of this section shall not require any domestic or foreign corporation, existing or authorized to do business under any statute on the effective date of this Act, to add to, modify, or otherwise change its corporate name, except that

(1) Any such corporation other than banks, insurance companies and railroads, whose name does not contain the word "corporation," "incorporated," or "limited" or an abbreviation of one of such words, shall, within one hundred twenty days after the effective date of this Act, amend its corporate name to include any such word or abbreviation, and shall promptly send to the Secretary of State a statement setting forth the amended corporate name. In the case of a domestic corporation, such amendment may be made by the board of directors, without approval of the shareholders.

(e) From and after the effective date of this Act, no partnership, limited partnership, joint stock company, or other unincorporated business enterprise shall include in its name the word "corporation," "incorporated," or "limited," or an abbreviation of any of such words.

(f) The Secretary of State shall maintain a current list, alphabetically arranged, of the names of the corporations referred to herein.

(g) Nothing in this section shall abrogate or limit the law as to unfair competition or unfair trade practice; nor derogate from the common law, the principles of equity, or the statutes of this State or of the United States with respect to the right to acquire and protect trade names and trademarks.

SECTION 3.2. Reserved Name.

(a) The exclusive right to the use of a corporate name not prohibited by Section 3.1 (Corporate Name) may be reserved by:

(1) Any person intending to organize a corporation under this Act.

(2) Any domestic corporation intending to change its name.

(3) Any foreign corporation intending to apply for a certificate of authority to do business in this State.

(4) Any foreign corporation authorized to do business in this State and intending to change its name.

(5) Any person intending to organize a foreign corporation and intending to have such corporation apply for a certificate of authority to do business in this State.

(b) The reservation shall be made by filing with the Secretary of State an application to reserve a specified corporate name, executed

by the applicant. If the Secretary of State finds that the name is available for corporate use, he shall reserve the same for the exclusive use of the applicant for a period not exceeding one hundred twenty days.

(c) The right to the exclusive use of a specified corporate name so reserved may be transferred to any other person or corporation by filing in the office of the Secretary of State a notice of such transfer, executed by the applicant for whom the name was reserved, and specifying the name and address of the transferee.

(d) The Secretary may revoke any reservation if, after hearing, he finds that the application therefor or any transfer thereof was not made in good faith.

SECTION 3.3. Registered Name.

(a) Any corporation organized and existing under the laws of any state or territory of the United States may register its corporate name under this Act, provided its corporate name is not the same as, or deceptively similar to, the name of any domestic corporation existing under the laws of this State, or the name of any foreign corporation authorized to do business in this State, or any corporate name reserved or registered under this Act.

(b) Such registration shall be made by:

(1) Filing with the Secretary of State (A) an application for registration executed by the corporation by an officer thereof, setting forth the name of the corporation, the jurisdiction under whose laws it is incorporated, the date of its incorporation, a statement that it is actually doing business, and a brief statement of the business in which it is engaged; and (B) a certificate setting forth that such corporation is in good standing under the laws of its jurisdiction of incorporation, executed by the Secretary of State of such jurisdiction or by such other official as may have custody of the records pertaining to corporations, and

(2) Paying to the Secretary of State of South Carolina the required registration fee.

(c) Such registration shall be effective until the close of the calendar year in which the application for registration is filed.

(d) A corporation which has in effect a registration of its corporate name, may renew such registration from year to year (not to exceed ten years) by annually filing with the Secretary of State the application, certificate, and fee required by subsection (b) for an original registration. A renewal application may be filed between October 1

and December 31 in each year, and such filing shall extend the registration for the next succeeding calendar year.

SECTION 3.4. Registered Office and Registered Agent.

(a) Every domestic corporation and each foreign corporation authorized to do business in this State shall have and continuously maintain in this State:

(1) A registered office which may be, but need not be, the same as its place of business; and

(2) A registered agent, which agent may be either (A) an individual resident in this State whose business office is identical with the corporations' registered office, or (B) a domestic corporation, or (C) a foreign corporation authorized to do business in this State, having a business office identical with such registered office.

(b) The Secretary of State shall maintain current lists, alphabetically arranged by corporate name, of the location of each corporation's registered office, and of the name and address of each corporation's registered agent.

SECTION 3.5. Change of Registered Office or Registered Agent.

(a) A corporation may change its registered office or change its registered agent, or both, by executing and filing in the office of the Secretary of State a statement setting forth:

(1) The name of the corporation;

(2) If it is a foreign corporation, its jurisdiction of incorporation, and the date of its authorization to do business in this State.

(3) The address of its then registered office.

(4) If the address of its registered office be changed, the address to which the registered office is to be changed.

(5) The name of its then registered agent.

(6) If its registered agent be changed, the name of its successor registered agent.

(7) That the address of its registered office and the address of the business office of its registered agent, as changed, will be identical.

(8) That such change was duly authorized by the board of directors of corporation.

(b) Any registered agent of a corporation may resign as such agent upon filing a written notice thereof, executed in duplicate, with the

Secretary of State, who shall forthwith mail a copy thereof to the corporation at its registered office. The appointment of such agent shall terminate upon the expiration of thirty days after receipt of such notice by the Secretary of State.

(c) If any agent dies, becomes incapacitated, resigns, or otherwise is unable to perform his duties, the corporation shall promptly appoint another agent, and shall execute and file in the office of the Secretary of State a written appointment of such agent.

(d) If the agent changes his or its address from that appearing upon the record in the office of the Secretary of State, the corporation shall promptly notify the Secretary in writing of the new address of such agent.

(e) A corporation may revoke the appointment of an agent by filing with the Secretary of State a written appointment of another agent, and a statement that the appointment of the former agent is revoked.

SECTION 3.6. Service of Process on Domestic Corporation.

(a) The registered agent appointed by any domestic corporation shall be the agent of such corporation for service of any process, notice, or demand required or permitted by law to be served, and such service shall be binding upon the corporation.

(b) Whenever a corporation shall fail to appoint or maintain a registered agent in this State, or whenever its registered agent cannot with reasonable diligence be found at the registered office, then the Secretary of State shall be an agent of such corporation upon whom any such process, notice, or demand may be served. Service on the Secretary of State of any such process, notice, or demand shall be made by delivering to and leaving with him, or with any person or persons designated by him to receive such service, duplicate copies of such process, notice, or demand. In the event any such process, notice, or demand is served on the Secretary of State, he shall immediately forward one of the copies thereof by registered mail, addressed to the corporation at its registered office. Any service so had on the Secretary of State shall be returnable in not less than thirty days.

(c) The Secretary of State shall keep a record of all processes, notices and demands served upon him under this section, and shall record therein the time of such service and his action with reference thereto.

(d) Nothing herein contained shall limit or impair the right to serve any process, notice, or demand required or permitted by law to be served upon a corporation in any other manner now or hereafter permitted by law.

SECTION 3.7. Service of Process on Non-Resident Directors.

(a) Each director of a domestic corporation who is a non-resident of this State at the time of his election or who becomes a non-resident during his term of office, shall, by his acceptance of election or by continuing in office as director, be deemed to have appointed the Secretary of State as an agent to receive service of process upon him in any action or proceeding relating to actions of such corporation and arising while he held office as director of such corporation.

(b) Service of such process shall be made by delivering to and leaving with the Secretary of State, or with any person designated by him to receive such service, duplicate copies of such process. The Secretary of State shall thereupon immediately cause one of such copies to be forwarded to the non-resident director by registered mail. Proof of service shall be by affidavit of compliance with this section filed, together with a copy of the process, with the clerk of court in which the action or proceeding is pending.

(c) Service under this section may also be made by delivery of a copy of the process to the non-resident director at his address outside the State. Proof of such delivery shall be made by affidavit of the person making delivery, and the affidavit shall be filed with the clerk of court in which the action or proceeding is pending.

(d) The resignation in good faith of any non-resident director shall, effective as of the date of filing with the Secretary of State a notice of his resignation, terminate the application to him of the provisions of this section, except for any cause of action already accrued.

(e) Every corporation which has any director who is or becomes a non-resident of this State shall file with the Secretary of State the names and addresses of such directors, and shall file supplementary reports showing any change of address or residence of any such director. Such reports shall be filed within ten days from the date of election, removal from this State, or change of address, of any such director. The Secretary of State shall compile and maintain a current list, indexed by corporations, of all non-resident directors of domestic corporations.

Chapter 4. ORGANIZATION OF CORPORATIONS**SECTION 4.1. Organization of Corporations: Grant of Authority.**

(a) A corporation may be organized under this Act for any lawful business by complying with the requirements of this Chapter.

(b) Whenever the organization of any class of corporations is subject to special provisions of any other statute of this State, any corporation of such class shall be organized in compliance with those provisions which shall prevail over any inconsistent requirements of this Act.

SECTION 4.2. Incorporators: Number and Qualifications.

One or more persons, having capacity to contract, whether or not residents of this State, may organize a corporation under this Act by executing, acknowledging, and delivering for filing articles of incorporation in accordance with Sections 1.4, 1.5 and 1.6 of this Act.

SECTION 4.3. Contents of the Articles of Incorporation.

(a) The articles of incorporation shall concisely set forth:

(1) The name of the corporation, which shall comply with the requirements of Section 3.1 (Corporate Name);

(2) The general nature of the business for which the corporation is organized;

(3) The period of duration, which shall be perpetual unless otherwise specified in the articles;

(4) The address of the initial registered office, and the name of the initial registered agent at such address, in accordance with the requirements of Section 3.4 (Registered Office and Registered Agent);

(5) The number of directors constituting the initial board of directors, and the names and addresses of the persons who are to serve as directors until the first annual meeting of shareholders or until their successors be elected and qualify.

(6) A statement that the corporation will not begin business until the minimum consideration for the issue of its shares has been paid to the corporation, as prescribed by Section 4.6 (Requirement of Capital Before Beginning Business);

(7) The relevant information regarding the shares, including classes and series of shares, which the corporation shall be authorized to issue, as provided in subsection (b) of this Section.

- (8) Any other provisions which the incorporators elect to include in the articles if:
- (A) Any section of this Act permits or authorizes the articles to contain such a provision; or
 - (B) Any section of this Act permits or requires the provision to be set forth in the corporation's by-laws or in an agreement or other instrument; or
 - (C) Such provision relates to the business or affairs of the corporation, or the rights or powers of its shareholders, directors, or officers, and, although not specifically authorized by this Act, is not inconsistent with law or contrary to public policy.
- (b) (1) If any shares of a corporation, including any class of shares or any series within a class or shares, have a par value, the articles shall state the total number of such shares, and the par value of each share. If any shares, including any class of shares or any series within a class of shares, shall be without par value, the articles shall state the total number of such shares.
- (2) If shares of a corporation are divided into two or more classes, the articles of incorporation shall state whether the shares have par value, or are without par value; and shall designate each class of shares, and specify the relative rights, preferences, and limitations of the shares of each class.
- (3) If shares of any preferred or special class are issued in series, the articles of incorporation shall state whether the shares have par value, or are without par value; and shall either (A) designate each series within any class of shares, and specify the relative rights, preferences and limitations as among such series, to the extent that such is to be specified in the article, or (B) set forth any authority of the board of directors to designate series within any class of shares and to specify the relative rights, preferences and limitations as among such series.
- (c) The articles of incorporation shall be signed by each incorporator, with his name and address legibly stated beneath or opposite his signature, and shall set forth the current address of the corporation, the street or rural route address, post office box (if any), town or city, county, and state.
- (d) The articles of incorporation shall be accompanied by a certificate, signed by an attorney licensed to practice in this State, that all of the requirements of this Chapter relating to the organization of corporations have been complied with, and that, in the

opinion of the attorney, the corporation is organized for a lawful and proper purpose.

(e) The articles of incorporation need not set forth any of the corporate powers enumerated in this Act.

SECTION 4.4. Determinations to be Made by Secretary of State before Filing Articles of Incorporation.

When the articles of incorporation are delivered for filing by the Secretary of State, as provided by Section 1.6 (Delivery of Documents for Filing), he shall, before filing them, determine that the articles

- (a) comply with the requirements of Sections 1.4, 1.5 and 1.6;
- (b) set forth the information required by Section 4.3 (Contents of Articles of Incorporation);
- (c) do not adopt as the name of the corporation a name which is in violation of Section 3.1 (Corporate Name); and
- (d) are accompanied by the attorney's certificate required by sub-section (d) of Section 4.3 (Contents of Articles of Incorporation).

Upon making such determination, the Secretary of State shall file the articles of incorporation.

SECTION 4.5. Beginning of Corporate Existence; Filing as Conclusive Evidence of Incorporation, and Exceptions Thereto.

(a) The existence of the corporation shall begin as of the filing date of the articles of incorporation, that is to say, as of the date endorsed by the Secretary of State upon the original filed copy of the articles, as provided by Section 1.6 (Delivery of Documents for Filing).

(b) The fact that the articles of incorporation have been filed with the Secretary of State shall be conclusive evidence that all conditions required by this Act to be performed by the incorporators have been complied with, that the corporation has been incorporated, and that its corporate existence has begun, except when the State shall institute proceedings to

- (1) Cancel or revoke the articles of incorporation;
- (2) Enjoin any person from acting as a corporation within this State without being duly incorporated; or
- (3) Compel dissolution of the corporation.

SECTION 4.6. Requirement of Capital Before Commencing Business.

(a) A corporation shall not transact any business or incur any indebtedness except such as shall be incidental to its organization or to obtaining subscriptions or payment for its shares until:

(1) The articles of incorporation have been filed with the Secretary of State and

(2) There has been actually paid to the corporation for the issue of shares consideration of the value of at least \$1,000 (One Thousand Dollars) of which at least \$500 (Five Hundred Dollars) shall have been paid in cash.

(b) If a corporation has transacted any business in violation of this section, any person (whether a promoter, incorporator, shareholder, subscriber, or director) who has participated therein, shall be jointly and severally liable for the debts or liabilities of the corporation arising therefrom. No such person shall be personally liable if he (1) dissented from such violation and caused his dissent to be recorded in the records of the corporation, or (2) being absent, recorded and filed his dissent promptly upon learning of the action.

SECTION 4.7. Organizational Meeting of Directors.

At any time after the filing date of the articles of incorporation, an organizational meeting of the board of directors named in the articles of incorporation shall be held, either within or without this State, to adopt by-laws of the corporation, to elect officers, to do any other or further acts to complete the organization of the corporation, and to transact such other business as may come before the meeting. Such meeting may be called by the incorporator or by a majority of the incorporators who shall give to each director at least three days' notice thereof by any usual means of communication, and such notice shall state the time and place of the meeting.

Chapter 5. CORPORATE FINANCE**SECTION 5.1. Authorized Shares.**

(a) Each corporation shall have power to create and issue the number of shares stated in its articles of incorporation. Such shares may be divided into one or more classes, any or all of which classes may consist of shares with par value or shares without par value, with such designations, preferences, limitations, and relative rights as shall be stated in the articles of incorporation. The articles of incorporation may grant, limit or deny the voting rights of the shares

of any class to the extent not inconsistent with the provisions of this Act.

(b) Without limiting the authority herein contained, a corporation, when so provided in its articles of incorporation, may issue shares of preferred or special classes:

(1) Subject to the right of the corporation to redeem any of such shares at the price fixed by the articles of incorporation for the redemption thereof.

(2) Entitling the holders thereof to cumulative, non-cumulative or partially cumulative dividends.

(3) Having preference over any other class or classes of shares as to the payment of dividends.

(4) Having preference in the assets of the corporation over any other class or classes of shares upon the voluntary or involuntary liquidation of the corporation.

(5) Convertible into shares of any other class or into shares of any series of the same or any other class, except a class having prior or superior rights and preferences as to dividends or distribution of assets upon liquidation.

(c) If shares are divided into two or more classes, the shares of each class shall be so designated as to distinguish them from the shares of all other classes. Shares which are not preferred as to dividends or other distributions, including distributions in liquidation, shall not be designated as preferred shares. Shares which are preferred as to dividends or other distributions, including distributions in liquidation, shall not be designated as common shares.

SECTION 5.2. Shares of Preferred or Special Classes in Series.

If the articles of incorporation so provide, the shares of any preferred or special class may be divided into and issued in series. If the shares of any such class are to be issued in series, then each series shall be so designated as to distinguish the shares thereof from the shares of all other series and classes. All shares of the same series shall be identical. Any or all of the series of any such class and the variations in the relative rights and preferences as between different series shall be fixed and determined by the articles of incorporation, but all shares of the same class shall be identical except as to the following relative rights and preferences, as to which there may be variations between different series:

(a) The rate of dividend.

(b) Whether shares may be redeemed and, if so, the redemption price and the terms and conditions of redemption.

(c) The amount payable upon shares in event of voluntary and involuntary liquidation.

(d) Sinking fund provisions, if any, for the redemption or purchase of shares.

(e) The terms and conditions, if any, on which shares may be converted.

SECTION 5.3. Authority of Directors in Certain Cases to Issue Shares of Preferred or Special Classes in Series.

(a) If the articles of incorporation expressly vest such authority in the board of directors, then, to the extent that the articles have not established series and fixed and determined the variations in the relative rights and preferences as between series, the board of directors shall have authority to divide any or all of such classes into series and, within the limitations set forth in Section 5.2 (Shares of Preferred or Special Classes in Series) and in the articles, to fix and determine the relative rights and preferences of the shares of any series so established.

(b) In order for the board of directors to establish a series, where authority so to do is contained in the articles of incorporation, the board shall adopt a resolution setting forth the designation of the series and fixing and determining the relative rights and preferences thereof, or so much thereof as shall not be fixed and determined by the articles of incorporation.

(c) Prior to the issue of any shares of a series established by resolution adopted by the board of directors, a statement shall be executed, verified, and delivered for filing, as provided by Sections 1.4-1.6, and shall set forth:

(1) The name of the corporation.

(2) A copy of the resolution establishing and designating the series, and fixing and determining the relative rights and preferences thereof.

(3) The date of adoption of such resolution.

(4) That such resolution was duly adopted by the board of directors.

(d) Upon the filing of such statement by the Secretary of State, the resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof shall become

effective and shall constitute an amendment of the articles of incorporation.

(e) The board of directors may not be authorized to make any change in the designations, terms, limitations, or relative rights or preferences, although fixed by them as permitted by this section, of any shares after their issuance.

SECTION 5.4. Preferred Shares: Rules of Construction.

Unless otherwise provided by this Act, or by the articles of incorporation as permitted by this Act, or by resolution of the board of directors in the case of shares whose terms may be fixed as provided by Section 5.3 (Authority of Directors in Certain Cases) :

(a) Shares which are preferred as to dividends shall be deemed cumulative preferred shares.

(b) Shares which are preferred as to dividends shall not be entitled to participate in dividends beyond the amount of the stated dividend preference.

(c) Shares which are preferred as to dividends shall be preferred, on liquidation of the corporation, as to the par or stated value of the shares.

(d) Shares which are preferred as to liquidation shall not be entitled to participate in liquidation payments beyond the amount of the stated liquidation preference.

(e) If preferred shares cumulative as to dividends are entitled to a preferential payment on liquidation, such payment shall also include the amount of dividends accrued but unpaid as of the date of liquidation.

(f) Shares which are preferred as to dividends or as to payments upon liquidation shall not be entitled to vote.

SECTION 5.5. Subscriptions for Shares.

(a) A subscription for shares of a corporation shall be irrevocable for a period of six months from its date, unless otherwise provided by the terms of the subscription agreement or unless all of the subscribers consent to the revocation of such subscription.

(b) A subscription, whether made before or after the formation of a corporation, shall not be enforceable unless in writing and signed by the subscriber.

(c) Unless otherwise provided in the subscription agreement, subscriptions for shares, whether made before or after the organization of a corporation, shall be paid in full at such time, or in such installments and at such times, as the board of directors shall deter-

mine. Any call made by the board of directors for payment on subscriptions shall be uniform as to all shares of the same class or as to all shares of the same series, as the case may be.

(d) In case of default in the payment of any installment or call when such payment is due, the corporation may proceed to collect the amount due and all previously unpaid installments or calls in the same manner as any debt due the corporation, and for such amount due the corporation shall have a lien on the subscribed shares. The by-laws may prescribe other penalties for failure to pay installments or calls that may become due, but no penalty working a forfeiture of a subscription, or of the amounts paid thereon, shall be declared as against any subscriber unless the amount due thereon shall remain unpaid for a period of twenty days after written demand has been made therefor. If mailed, such written demand shall be deemed to be made when deposited in the United States mail in a sealed envelope addressed to the subscriber at his last post office address known to the corporation, with postage thereon prepaid.

(e) In the event of the sale of any shares, the delinquent subscriber or his legal representative shall be entitled to be paid the excess of the sale proceeds realized over the sum of (1) the amount due and unpaid on the subscription, and (2) the reasonable expenses incurred in selling the shares.

SECTION 5.6. Consideration for Shares.

(a) Shares having a par value may be issued for such consideration expressed in dollars as shall be fixed from time to time by the board of directors unless the articles of incorporation reserve to the shareholders the right to fix the consideration, but, except as otherwise permitted in this Chapter, such consideration shall not be less than the par value of the shares issued therefor.

(b) Shares without par value may be issued for such consideration expressed in dollars as may be fixed from time to time by the board of directors unless the articles of incorporation reserve to the shareholders the right to fix the consideration. In the event that such right be reserved as to any shares, the shareholders shall, prior to the issuance of such shares, fix the consideration to be received for such shares, by a vote of the holder of a majority of all shares entitled to vote thereon.

(c) Treasury shares may be disposed of by the corporation for such consideration expressed in dollars as may be fixed from time to time by the board of directors, or by the shareholders if the articles of incorporation so provide.

(d) If the articles of incorporation reserve to the shareholders the right to fix the consideration for any shares, the shareholders shall, unless the articles otherwise provide, do so by a vote of the holders of a majority of all shares entitled to vote thereon.

(e) That part of the surplus of a corporation which is transferred to stated capital upon the issuance of shares as a share dividend shall be deemed to be the consideration for the issuance of such shares.

(f) In the event of a conversion of bond (which shall also include debentures or other creditor securities) or shares into shares, or in the event of an exchange of shares with or without par value, whether of the same or a different class or classes, the consideration for the shares so issued in exchange or conversion shall be :

(1) either the principal sum of and accrued interest on the bonds so exchanged or converted, or the stated capital then represented by the shares so exchanged or converted ;

(2) that part of surplus, if any, transferred to stated capital upon the issue of the new shares ; and

(3) any additional consideration paid to the corporation for the new shares.

SECTION 5.7. Payment for Shares.

(a) Consideration for the issuance of shares shall be paid, in money or in other property, tangible or intangible, actually received, or in labor or services actually performed for the corporation, or in any combination thereof.

(b) Neither promissory notes nor other obligations, including any endorsement or guaranty of an obligation of the corporation, nor any agreement to perform future services, shall constitute payment or part payment for shares issued to such subscriber or purchaser.

(c) In the absence of fraud in the transaction, the judgment of the board of directors or shareholders, as the case may be, as to the value of the consideration received for shares shall be conclusive.

(d) Every corporation shall keep a record of the consideration for all shares issued by it, the payment of the consideration and the number and par value, if any, of shares issued by it.

SECTION 5.8. Share Rights and Options.

(a) If the articles of incorporation permit, and subject to any provisions therein, a corporation may create and issue, whether or not in connection with the issue and sale of any of its shares or

other securities, rights or options entitling the holders thereof to purchase from the corporation shares of any class or classes, whether authorized but unissued shares, treasury shares, or share to be purchased or acquired by the corporation. The consideration and payment for shares to be purchased under any such right or option shall comply with the requirements of Sections 5.6 (Consideration for Shares) and 5.7 (Payment for Shares).

(b) The instrument or instruments evidencing such right or options shall be approved by the board of directors, but shall set forth or shall incorporate by reference the terms and conditions upon which, the time or times at or within which, and the price or prices at which such shares may be purchased from the corporation upon the exercise of any such right or option.

(c) Such rights or options may be issued to directors, officers and employees of the corporation or a subsidiary or affiliate thereof, as an incentive to service or continued service with the corporation, a subsidiary or affiliate thereof, or to a trustee on behalf of such directors, officers, and employees, if a plan for the issue of such rights or options has been approved by a majority of all outstanding shares entitled to vote thereon, or if the issue of such rights or options was authorized by, and is consistent with a plan previously approved by, such vote of the shareholders. Such plan may specify, without limitation, the terms and conditions upon which rights or options are to be issued, the consideration and the payment for shares, the issue of certificates for shares, any limitations or restrictions upon transferability of rights or options or shares received thereunder, eligibility for participation in the plan, effect of termination of employment upon participation, the maximum number of shares to be reserved under the plan, and whether such shares shall be authorized or unissued shares, treasury shares, or shares to be purchased or acquired by the corporation.

(d) In the absence of fraud, the judgment of the board of directors or of the shareholders, as the case may be, shall be conclusive as to the adequacy of the consideration received or to be received by the corporation for such rights or options.

SECTION 5.9. When Shares are Fully Paid and Nonassessable; Allowance of Certain Organization Expenses.

(a) When the full consideration for which shares are to be issued has been paid to and received by the corporation, such shares shall be deemed fully paid and nonassessable.

(b) The reasonable charges and expenses of organization or reorganization of a corporation, and the reasonable expenses of and compensation for the sale or underwriting of its shares, may be paid or allowed by such corporation out of the consideration received by it in payment for its shares without thereby rendering such shares not fully paid or assessable.

SECTION 5.10. Certificates Representing Shares.

(a) Each shareholder, upon payment in full for his shares, shall be entitled to a certificate certifying the number of shares owned by him in such corporation. No certificate shall be issued for any share until such share is fully paid.

(b) Such certificate representing a share or shares in a corporation shall be signed by the president or a vice-president and the secretary or an assistant secretary of the corporation, and may be sealed with the seal of the corporation or a facsimile thereof. The signature of the president or vice-president and the secretary or assistant secretary upon a certificate may be facsimiles if the certificate is countersigned by a transfer agent or any assistant transfer agent, or registered by a registrar, other than the corporation itself or an employee of the corporation. In case any officer who has signed or whose facsimile signature has been placed upon such certificate shall have ceased to be such officer before such certificate is issued, it may be issued by the corporation with the same effect as if he were such officer at the date of its issue.

(c) Every certificate representing shares issued by a corporation which is authorized to issue shares of more than one class shall set forth upon the face or back of the certificate, or shall state that the corporation will furnish to any shareholder upon request and without charge, a full statement of the designations, preferences, limitations, and relative rights of the shares of each class authorized to be issued and, if the corporation is authorized to issue any preferred or special class in series, the variations in the relative rights and preferences between the shares of each such series so far as the same have been fixed and determined, and the authority of the board of directors to fix and determine the relative rights and preferences of other series.

(d) Each certificate representing shares shall state upon the face thereof:

- (1) That the corporation is organized under the laws of this State.
- (2) The name of the person to whom issued.

(3) The number and class of shares, and the designation of the series, if any, which such certificate represents.

(4) The par value of each share represented by such certificate, or a statement that the shares are without par value.

(e) This section shall not affect the validity of any share certificate of any corporation issued prior to the effective date of this Act.

SECTION 5.11. Issuance of Fractional Shares or Scrip.

(a) Fractions of shares, however arising, shall be aggregated into whole shares for all purposes. Any fractions of shares remaining after such aggregation may, but need not be, represented by a certificate for fractional shares which shall entitle the holder, in proportion to his fractional holdings, to exercise voting rights and receive dividends and other distributions.

(b) As an alternative, a corporation may pay in cash the fair value of fractions of shares as of the time when those entitled to receive such fractions are determined.

(c) As an alternative, a corporation may issue scrip in registered or bearer form over the manual or facsimile signature of an officer of the corporation or of its agents, exchangeable as therein provided for full shares, but such scrip shall not entitle the holder to any rights of a shareholder except as therein provided. Such scrip may be issued subject to the condition that it shall become void if not exchanged for certificates representing full shares before a specified date, or subject to the condition that the shares for which such scrip is exchangeable may be sold by the corporation and the proceeds thereof distributed to the holders of such scrip, or subject to any other conditions which the board may determine.

(d) A corporation may provide reasonable opportunity for persons entitled to fractions of shares or scrip to sell such fractions of shares or scrip or to purchase such additional fractions of shares or scrip as may be needed to acquire a full share.

SECTION 5.12. Lost or Destroyed Certificates.

(a) A shareholder whose original certificate has been lost or destroyed may apply to the corporation for a duplicate certificate representing all or any portion of his shares in such corporation. A duplicate certificate may be issued to such shareholder after he has:

(1) Published once a week for three successive weeks in a newspaper published or circulated in the county in which the registered office of the corporation is located a notice stating the

number of the original certificate, that the certificate has been lost or destroyed, and that application will be made to the corporation on a fixed date for a duplicate certificate, and that after two years from the date of issuance of the duplicate certificate the original certificate shall be null and void.

(2) Filed with the corporation an affidavit representing that he is a shareholder in the corporation, that his original certificate has been lost or destroyed, specifying with particularity the circumstances of its loss or destruction, and that he has not transferred or in any way disposed of the original certificate.

(3) Filed with the treasurer of the corporation, if the corporation shall so require, a bond in the amount of the market value, as of the date of application, of the shares.

(b) After two years from the issue of the duplicate certificate, the original certificate and the share interest represented by such certificate shall be null and void, and any holder thereof shall thereafter have no rights of a shareholder. The corporation shall not be liable for any damage or loss by complying with the provisions of this section in the absence of actual fraud.

SECTION 5.13. Requirement of Stated Capital and Determination Thereof.

(a) A corporation shall have and maintain a stated capital as defined in subsection (1) of Section 1.2 (Definitions).

(b) Upon issue by a corporation of share with a par value, the consideration received therefor, expressed in dollars, shall constitute stated capital to the extent of the par value of the shares, and the excess, if any, of such consideration shall constitute capital surplus.

(c) Upon issue by a corporation of shares without par value, the entire consideration received therefor shall constitute stated capital unless the board of directors within a period of sixty days after issue, allocates to capital surplus a portion, but not all, of the consideration received for such shares. No such allocation shall be made of any portion of the consideration received for shares without par value having a preference in the assets of the corporation upon liquidation except that part of such consideration which is in excess of such preference.

(d) The stated capital of a corporation may be increased from time to time by resolution of the board of directors transferring all or part of any surplus of the corporation to stated capital. The board may direct that the amount so transferred shall be stated capital in respect of any designated class or series of shares.

SECTION 5.14. Dividends in Cash or Property.

(a) The board of directors of a corporation may, from time to time, declare and the corporation may pay dividends on its outstanding shares in cash or property, including the shares of other corporations, except when the corporation is insolvent or when the payment of the dividend would render the corporation insolvent or when the declaration or payment thereof would be contrary to any restrictions contained in the articles of incorporation, subject always to the following limitations:

(1) Dividends may be declared and paid in cash or property only out of the unreserved and unrestricted earned surplus of the corporation.

(2) Except to the extent that the articles of incorporation otherwise provide, a corporation engaged in the exploitation of natural resources or other wasting assets, may declare and pay in cash or property, dividends out of the depletion reserves of the corporation, but each such dividend shall be identified as a distribution of such reserves and the amount per share paid from such reserves shall be disclosed to the shareholders receiving the same concurrently with the distribution thereof.

SECTION 5.15. Share Dividends, and Dividends in Treasury Shares.

(a) The board of directors of a corporation may, from time to time, declare and the corporation may pay on its outstanding shares dividends in its own shares, except when the corporation is insolvent or when the payment of the dividend would render the corporation insolvent or when the declaration or payment thereof would be contrary to any restrictions contained in the articles of incorporation, subject always to the following limitations:

(1) Dividends may be declared and paid in the corporation's own authorized but unissued shares out of any unreserved and unrestricted surplus of the corporation on the following conditions:

(A) If a dividend is payable in its own shares having a par value, such shares shall be issued at not less than the par value thereof, and there shall be transferred to stated capital at the time the dividend is paid an amount of surplus at least equal to the aggregate par value of the shares to be issued as a dividend.

(B) If a dividend is payable in its own shares without par value, such shares shall be issued at such stated value as shall be fixed by the board of directors by resolution adopted at the time the dividend is declared, and there shall be transferred to stated capital at the time the dividend is paid an amount of surplus equal to the aggregate stated value so fixed in respect of such shares.

(C) If there be any amount in excess of the aggregate par value of shares having par value, or any amount in excess of the aggregate stated value of shares without par value, such amounts shall be credited to one of the capital surplus accounts of the corporation, as the board of directors shall determine.

(D) Every share dividend shall be accompanied by a written notice which discloses the amount by which such dividend affects stated capital, capital surplus, and earned surplus, or if such amounts cannot be determined at the time of such notice, the estimated effect of such distribution upon stated capital, capital surplus, and earned surplus, with a statement that such estimates are subject to re-determination.

(E) Nothing herein shall preclude a corporation from making additional or supplementary transfers from surplus to stated capital in connection with a share dividend.

(2) Dividends may be declared and paid by the corporation in its own shares out of any treasury shares that have been reacquired out of surplus of the corporation. No transfer from surplus to stated capital need be made by a corporation paying a dividend in treasury shares to holders of any class of its outstanding shares. Every dividend in treasury shares shall be accompanied by a written notice which shall designate the dividend as a distribution of treasury shares and shall state the amount by which the surplus account has been reduced by the acquisition of such treasury shares.

(b) No dividend payable in shares of any class, whether such shares are authorized but unissued shares or treasury shares, shall be paid to the holders of shares of any other class unless the articles of incorporations so provide or unless such payment is authorized by the affirmative vote or written consent of the holders of at least a majority of the outstanding shares of the class in which the payment is to be made.

(c) A split-up or division of the issued shares of any class into a greater number of shares of the same class without increasing the stated capital of the corporation shall not be construed to be a share dividend within the meaning of this section.

SECTION 5.16. Distributions from Capital Surplus.

(a) The board of directors of a corporation may, from time to time, distribute to its shareholders out of capital surplus of the corporation a portion of its assets, in cash or property, subject to the following provisions:

(1) No such distribution shall be made at a time when the corporation is insolvent or when such distribution would render the corporation insolvent.

(2) No such distribution shall be made unless the articles of incorporation so provide and such distribution is authorized by the affirmative vote of the holders of at least two-thirds of the outstanding shares of each class whether or not entitled to vote thereon by the provisions of the articles of incorporation of the corporation.

(3) No such distribution shall be made to the holders of any class of shares unless all cumulative dividends accrued on all preferred or special classes of shares entitled to preferential dividends shall have been fully paid.

(4) No such distribution shall be made to the holders of any class of shares which would reduce the remaining net assets of the corporation below the aggregate preferential amount payable in event of liquidation to the holders of shares having preferential rights to the assets of the corporation in the event of liquidation.

(5) Each such distribution, when made, shall be identified as a distribution from capital surplus and the amount per share disclosed to the shareholders receiving the same concurrently with the distribution thereof.

(b) The board of directors of a corporation may also, from time to time, distribute to the holders of its outstanding shares having a cumulative preferential right to receive dividends, in discharge of their cumulative dividend rights, dividends payable in cash out of the capital surplus of the corporation, if at the time the corporation has no earned surplus and is not insolvent and would not thereby be rendered insolvent. Each such distribution shall be accompanied by a written notice which shall state that the distribution is a payment of

cumulative dividends out of capital surplus and the amount by which such dividend reduces capital surplus.

SECTION 5.17. Corporation's Purchase and Disposition of its Own Shares.

(a) A corporation may acquire its own shares (1) by gift, bequest, merger, consolidation, distribution of the assets of another corporation, or exchange of its shares, and (2) by purchase, as provided in this section; and it may hold, own, pledge, transfer, or otherwise dispose of such shares.

(b) A corporation shall purchase its own shares only out of unreserved and unrestricted earned surplus available therefor. If authorized by the articles of incorporation, or by the affirmative vote of two-thirds of the shares of each class regardless of limitations or restrictions in the articles on the voting rights of such shares, a corporation may also purchase its own shares to the extent of unreserved and unrestricted capital surplus available.

(c) Upon purchase of its shares, the corporation's earned or capital surplus, as the case may be, shall be reduced by the cost of such shares. Upon sale or other disposition for a consideration, the full consideration received for such shares shall be capital surplus, but if the shares were purchased out of earned surplus the corporation may elect to restore to earned surplus all or part of the amount by which earned surplus was reduced at the time of purchase. Surplus created upon retirement or cancellation of shares reacquired by the corporation, whether by purchase or otherwise, shall be capital surplus. Stated capital shall not be changed by retention of reacquired shares as treasury shares nor by their subsequent distribution to shareholders nor disposition for a consideration.

(d) Notwithstanding the limitations of subsection (b), the directors of a corporation may authorize the purchase of its own shares for the following purposes:

- (1) To eliminate fractional shares or to avoid their issuance;
- (2) To collect, release, or compromise in good faith a debt, claim, or controversy;
- (3) To satisfy claims of dissenting shareholders who are entitled to payment of the fair cash value of their shares under Section 6.27 (Right of Dissenting Shareholders to Payment for Shares);
- (4) Subject to the other provisions of this Act, to effect the retirement of its redeemable shares by redemption or by purchase.

(e) A corporation shall in no event purchase its own shares if the corporation is insolvent, or if such purchase or payment would render it insolvent.

SECTION 5.18. Issue and Redemption of Redeemable Shares.

(a) The articles of incorporation may authorize the corporation to issue one or more classes or series of shares which are redeemable, in whole or in part, at the option of the corporation. The articles shall set forth the price at which, the period within which, and the conditions under which such shares shall be redeemed.

(b) Except in the case of an open-end investment company, as defined by the Act of Congress entitled "Investment Company Act of 1940", no corporation shall issue or redeem (1) any common shares, or (2) any redeemable or other shares which by their terms purport to grant to any holder thereof the right to require the corporation to redeem such shares.

(c) No redemption or purchase of redeemable shares shall be made by a corporation if it is insolvent, or if such redemption or purchase would render it insolvent, or would reduce its net assets below the aggregate amount payable to the holders of shares having prior or equal rights to the assets of the corporation in the event of dissolution.

(d) When redeemable shares are purchased by the corporation, the purchase price shall not exceed the redemption price stated in the articles of incorporation.

SECTION 5.19. Retirement or Cancellation of Redeemable Shares by Redemption or Purchase.

(a) The redemption or purchase by a corporation of its redeemable shares shall of itself retire such shares which shall automatically be restored to the status of authorized but unissued shares unless the articles of incorporation provide that such share shall be cancelled and not reissued.

(b) A statement of retirement or cancellation shall be executed, verified, and delivered for filing as provided by Sections 1.4-1.6, and shall set forth:

(1) The name of the Corporation.

(2) The number of redeemable shares reacquired by redemption or purchase, itemized by classes and series.

(3) The aggregate number of issued shares, itemized by classes and series, after giving effect to retirement of such shares.

(4) The amount, expressed in dollars of the stated capital of the corporation after giving effect to such retirement.

(5) If the articles of incorporation provide that the shares shall be cancelled and not reissued, then the number of shares which the corporation has authority to issue, itemized by classes and series, after giving effect to such cancellation.

(c) The filing of a statement of retirement shall reduce the stated capital of the corporation by that part of the stated capital which was, at the time of the retirement of the shares, represented by the retired shares. If the articles of incorporation provide that the shares be canceled and not reissued, the filing of the statement of cancellation shall also amend the articles to reduce the number of authorized shares by the number of canceled shares.

(d) Nothing contained in this Section shall be construed to forbid a retirement or cancellation of shares or a reduction of stated capital in any other manner permitted by this Act.

SECTION 5.20. Disposition or Retirement or Cancellation of Other Reacquired Shares.

(a) Any shares other than redeemable shares redeemed or purchased may be either held as treasury shares or may be retired or canceled by the board of directors at the time of reacquisition or at any time thereafter.

(b) If retired or cancelled, a statement of retirement or cancellation shall be executed, verified, and delivered for filing as provided by Sections 1.4-1.6, and shall set forth:

(1) The name of the Corporation.

(2) The number of reacquired shares retired or cancelled by resolution adopted by the board of directors, itemized by classes and series, and the date of its adoption.

(3) The aggregate number of issued shares, itemized by classes and series after giving effect to the retirement or cancellation of the shares.

(4) The amount, expressed in dollars, of the stated capital of the corporation after giving effect to the retirement or cancellation of the shares. The filing of a statement of retirement shall reduce the stated capital of the corporation by that part of the stated capital which was, at the time of the retirement of the shares, represented by retired shares. If the articles of incorporation provide that the shares shall be cancelled and not reissued, the filing of the statement of cancellation shall also amend

the articles to reduce the number of authorized shares by the number of cancelled shares.

(c) Nothing contained in this section shall be construed to forbid retirement or cancellation of shares or a reduction of stated capital in any other manner permitted by this Act.

SECTION 5.21. Reduction of Stated Capital.

(a) A corporation may, by complying with the following procedure, reduce its stated capital, except that this section is inapplicable when stated capital is reduced by amendment of the articles of incorporation or by retirement or cancellation of shares.

(1) The board of directors shall adopt a resolution setting forth the amount of the proposed reduction and the manner in which the reduction shall be effected and directing that the question of such reduction be submitted to a vote at a meeting of shareholders, which may be either an annual or a special meeting.

(2) Written or printed notice, stating that the purpose or one of the purposes of such meeting is to consider the question of reducing the stated capital of the corporation in the amount and manner proposed by the board of directors, shall be given to each shareholder of record entitled to vote thereon within the time and in the manner provided in this Act for the giving of notice of meetings of shareholders.

(3) At such meeting a vote of the shareholders entitled to vote thereon shall be taken on the question of approving the proposed reduction of stated capital, which shall require for its adoption the affirmative vote of the holders of at least two-thirds of the shares entitled to vote thereon.

(4) If the proposed reduction of capital is approved as provided in this section, a statement shall be executed, verified, and delivered for filing as provided by Sections 1.4-1.6 and shall set forth:

(A) The name of the corporation.

(B) A copy of the resolution of the shareholders approving such reduction, and the date of its adoption.

(C) The number of shares outstanding, and the number of shares entitled to vote thereon.

(D) The number of shares voted for and against such reduction, respectively.

(E) A statement of the manner in which such reduction is effected, and a statement, expressed in dollars, of the

amount of stated capital of the corporation after giving effect to such reduction.

(5) Upon filing of such statement, the stated capital shall be reduced as therein set forth.

(b) No reduction of stated capital shall be made under the provisions of this section (1) if after such reduction the net assets of the corporation are not sufficient to pay any debts of the corporation not otherwise provided for, and (2) if after such reduction the amount of the aggregate stated capital of the corporation would be an amount equal to or less than the aggregate preferential amounts payable upon all issued shares having a preferential right in the assets of the corporation in the event of liquidation.

SECTION 5.22. Earned Surplus, Capital Surplus and Reserves.

(a) The earned surplus of a corporation may be determined either from the date of incorporation, or from the latest date when a deficit was eliminated, as permitted in subsection (b), by applying the corporation's capital surplus.

(b) A corporation may, by resolution of its board of directors, apply any part or all of its capital surplus to the reduction or elimination of any deficit arising from losses, however incurred, but only after first eliminating the earned surplus, if any, of the corporation by applying such losses against earned surplus and only to the extent such losses exceed the earned surplus, if any. Each such application of capital surplus shall, to the extent thereof, effect a reduction of capital surplus.

(c) A corporation may, by resolution of its board of directors, create a reserve or reserves out of its earned surplus or capital surplus for any proper purpose or purposes, and may increase, decrease or abolish any such reserves in the same manner. Earned surplus of the corporation to the extent so reserved shall not be available for the payment of dividends or other distributions by the corporation except as expressly permitted by this Act.

(d) After merger, consolidation, or combination of two or more corporations by purchase or otherwise, the amount of the earned surplus of the surviving, new or purchasing corporation shall not exceed the aggregate net earned surplus of the constituent corporations as it existed immediately prior to such merger, consolidation or combination, reduced by such distributions to shareholders and transfer of earned surplus to stated capital or capital surplus as were made in connection with the issue of shares or otherwise at the time of merger, consolidation, or combination.

(e) The capital surplus of a corporation may be increased from time to time by resolution of the board of directors directing that all or a part of the earned surplus of the corporation be transferred to capital surplus.

(f) The surplus, if any, created by or arising out of a reduction of the stated capital of a corporation shall be capital surplus.

SECTION 5.23. Consideration for Bonds.

(a) The term "bond" as used in this section includes bonds, debentures, and notes of the corporation.

(b) Consideration for bonds issued by the corporation shall be paid only in money or in other property, tangible or intangible, actually received, or in labor or services actually performed for the corporation, including services actually and necessarily performed in the organization or reorganization of the corporation.

(c) Neither promissory notes nor any other obligations of a purchaser, including any endorsement or guaranty of an obligation of the corporation, nor any agreement to perform future services, shall constitute payment or part payment for any bonds issued by the corporation.

(d) In the absence of fraud in the transaction, the judgment of the board of directors or shareholders, as the case may be, shall be conclusive as to the amount of money or value of other consideration received for any bonds issued by the corporation.

(e) The reasonable expenses of, or compensation or discount for, the sale or underwriting of any bonds issued by the corporation may be paid or allowed out of the consideration received by the corporation in payment for such bonds.

SECTION 5.24. Convertible Securities.

(a) A corporation may, if authorized by the articles of incorporation, issue shares convertible, at the option of the holder only, into shares of any other class or into shares of any series of the same or any other class, except a class having prior or superior rights and preferences as to dividends or distribution of assets upon liquidation. The period within which and the terms and conditions upon which shares may be made convertible shall be stated in the articles of incorporation, or in a resolution of the board of directors if pursuant to Section 5.3 (Authority of Directors in Certain Cases to Issue Shares of Preferred or Special Classes in Series) the board of directors has authority to issue in series shares of preferred or special classes. Shares without par value shall not be converted into shares

with par value, unless that part of the stated capital of the corporation represented by such shares without par value is, at the time of conversion, at least equal to the aggregate par value of the shares into which the shares without par value are to be converted.

(b) A corporation may, if authorized by the articles of incorporation, issue bonds or debentures convertible into other bonds or debentures of the corporation within such period and upon such terms and conditions as shall be fixed by the board of directors.

(c) A corporation may, if authorized by the articles of incorporation, issue bonds or debentures convertible into shares within such period and upon such conditions as shall be fixed by the board of directors.

(d) At the time of authorizing any securities convertible into shares, the corporation shall provide for and at all times thereafter retain sufficient authorized but unissued shares of all classes necessary to satisfy the conversion of all issued outstanding securities convertible into shares. The consideration and payment for shares or bonds or debentures issued upon exercise of any conversion privilege shall comply with the requirements of subsection (e) of Section 5.6 (Consideration for Shares).

(e) When shares are converted, they shall be cancelled. Conversion of shares shall not reduce the aggregate stated capital of the corporation, but the effect, if any, of conversion upon stated capital shall be stated in the next financial statement furnished to shareholders.

Chapter 6. SHAREHOLDERS

SECTION 6.1. By-Laws.

(a) The by-laws of a corporation may contain any provisions, which are not inconsistent with law or with the articles of incorporation, for the regulation and management of the business and affairs of the corporation. Any provision which may properly appear in the by-laws may be included in the articles of incorporation.

(b) The initial by-laws of a corporation may be adopted by its board of directors at the organizational meeting of the corporation.

(c) After incorporation, the directors may adopt, amend, or repeal by-laws, subject always to the right of the shareholders to adopt, amend, or repeal by-laws. The directors may amend or repeal a by-law adopted by the shareholders unless such by-law shall forbid amendment or repeal or limit the extent to which it may be amended or repealed. The directors shall not adopt a by-law which shall re-

quire for action by the shareholders any quorum or vote which is greater than that which this Act or the articles of incorporation as permitted by this Act prescribes for action by the shareholders.

(d) After incorporation, the holders of shares entitled to vote to elect directors may adopt, amend, or repeal by-laws. Such continuing power of the shareholders with respect to by-laws shall not be denied, limited or impaired by the articles of incorporation or the by-laws or otherwise. The articles of incorporation may exclusively vest in the shareholders the power to amend, adopt or repeal the by-laws generally or a particular by-law or class of by-laws.

(e) Action by the shareholders with respect to by-laws shall be taken by a vote of a majority of all shares entitled to vote to elect directors, and action by the directors with respect to by-laws shall be taken by a vote of a majority of all directors then holding office, unless this Act or the articles of incorporation as permitted by this Act shall require such action to be taken by a greater number.

(f) Any notice of a meeting of shareholders or of the directors at which by-laws are to be adopted, amended, or repealed shall include notice of such proposed action.

SECTION 6.2. Emergency By-Laws.

(a) A corporation may adopt emergency by-laws which shall become automatically operative upon and remain in force only during any emergency resulting from any nuclear or atomic attack upon the United States, or from any nuclear or atomic accident or disaster occurring in or substantially affecting this State. Such by-laws may be adopted by the shareholders or by the board of directors, subject to repeal or change by action of the shareholders. Notwithstanding any different provision elsewhere in this Act or in the articles of incorporation or the by-laws, the emergency by-laws may contain any necessary and practical provision or requirement for the emergency operation and management of the business, including, without limitation, provisions which:

(1) Prescribe emergency powers of any officer of the corporation;

(2) Authorize delegation to any officer or director of the powers of the board of directors;

(3) Designate lines of succession of officers and agents of the corporation in the event that any of them shall for any reason be unable to discharge their duties. Such designation may be made either before or during any emergency, and may from time to time be modified.

(4) Designate those persons who, in such order of priority and for such period of time as may be provided in the emergency by-laws or by resolution, shall be directors.

(5) Relocate the principal place of business, or designate successive or simultaneous principal places of business, or authorize the directors or officers to do so during the emergency.

(6) Authorize any officer or director, or designate any other person, to call a meeting of the directors or of any committee in such manner and under such conditions as the emergency by-laws prescribe.

(7) Authorize giving notice only to such directors as it may be feasible to contact at the time and by such means as may be most feasible at the time, including publication by radio.

(8) Provide that the director or directors attending the meeting, or any greater number fixed by the emergency by-laws, shall constitute a quorum.

(9) Exonerate from liability, except for willful misconduct, any director, officer, agent or employee acting in accordance with any emergency by-law.

(b) To the extent not inconsistent with any emergency by-laws so adopted, the by-laws of the corporation shall remain in effect during any emergency, and upon its termination the emergency by-laws shall cease to be operative.

(c) If emergency by-laws have not been adopted by a corporation, action by shareholders, directors, officers, agents, or employees during any emergency as defined in subsection (a) shall be valid if it is substantially in compliance with this section, or if it is otherwise necessary and practical for the emergency operation and management of the business.

SECTION 6.3. Meetings of Shareholders.

(a) Meetings of shareholders may be held at such place, either within or without this State, as may be specified in the by-laws. In the absence of any such provision, all meetings shall be held at the registered office of the corporation.

(b) A meeting of shareholders shall be held annually for the election of directors and the transaction of other business on a date specified in the by-laws. A failure to hold the annual meeting at the designated time or to elect a sufficient number of directors to conduct the business of the corporation shall not affect otherwise valid corporate acts or work a forfeiture or dissolution of the corporation

except to the extent provided by subsection (a) (3) of Section 12.15 (Dissolution Pursuant to Court order).

(c) If there shall be a failure, for whatever reason, to hold the annual meeting for a period of thirty days after the date for such meeting specified in the by-laws, or if no date has been specified, for a period of thirteen months after the organization of the corporation or after its last annual meeting:

(1) A substitute annual meeting may be called by any person or persons entitled to call a special meeting of the shareholders; or

(2) The court of the county in which the registered office of the corporation is located may, upon application of any shareholder, order a substitute annual meeting to be held, and may issue such further orders as may be appropriate, including orders fixing the time and place of such meeting, the record date for determination of shareholders entitled to vote, and the form of notice of such meeting.

(d) Special meetings of the shareholders may be called by any one of the following:

(1) The president;

(2) The chairman of the board of directors;

(3) A majority of the board of directors;

(4) The holders of not less than ten per cent of the shares entitled to vote at the meeting, unless the articles of incorporation or by-laws provide for a smaller percentage; or

(5) Such other officers or persons as may be provided in the articles of incorporation, or in the by-laws.

SECTION 6.4. Notice of Shareholders' Meetings.

(a) Written or printed notice stating the place, day and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than ten nor more than fifty days before the date of the meeting, either personally or by mail, by or at the direction of the president, the secretary, or the officer or persons calling the meeting, to each shareholder of record entitled to vote at such meeting. If mailed, such notice shall be deemed given when deposited with postage prepaid in the United States mail, addressed to the shareholder at the address appearing on the stock transfer books of the corporation.

(b) Upon written request transmitted in person or by registered mail to the president or secretary by any person entitled under Sub-

section (d) of Section 6.3 (Meetings of Shareholders), to call a meeting of shareholders such officer shall deliver to the shareholders entitled thereto notice, as provided by this section, of a meeting to be held on a date fixed by such officer, which date shall not be less than ten nor more than fifty days after receipt of such request. If notice of the meeting is not given within fifteen days after transmission of the request therefor to the president or secretary, the person or persons calling the meeting may fix the time of meeting and give or cause to be given notice thereof as provided by this section.

(c) When a meeting is adjourned, for whatever reason, for 30 days or more, notice of the adjourned meeting shall be given as provided by this section. Notice of a meeting adjourned for less than thirty days need not be given if the time and place of the adjourned meeting are announced at the meeting at which the adjournment is taken, and at the adjourned meeting the corporation may transact any business which might have been transacted at the meeting at which the adjournment was taken.

SECTION 6.5. Waiver of Notice.

(a) Notice of a meeting of shareholders need not be given to any shareholder who signs a waiver of notice, in person or by proxy, either before or after the meeting. Unless required by the by-laws, neither the business transacted nor the purpose of the meeting need be specified in the waiver.

(b) Attendance of a shareholder at a meeting, in person or by proxy, without protesting prior to its conclusion the lack of or defect in notice of such meeting, shall of itself constitute waiver of notice, except when the shareholder attends a meeting solely for the purpose of stating his objection, at the beginning of the meeting, to the transaction of any business on the ground that the meeting is not lawfully called or convened.

SECTION 6.6. Fixing Record Date for Determining Shareholders.

(a) For the purpose of determining shareholders entitled to notice of or to vote at any meeting of shareholders or any adjournment thereof, or entitled to receive payment of a dividend or other distribution, or in order to make a determination of shareholders for any other proper purpose, the board of directors may, in accordance with the by-laws or by resolution in the absence of an applicable by-law, fix in advance a record date for any such determination of shareholders. Such date shall not in any case be more than fifty days and,

in case of a meeting of shareholders, not less than ten full days, prior to the date on which the particular action, requiring such determination of shareholders, is to be taken.

(b) If no record date is fixed for determination of shareholders entitled to notice of or to vote at a meeting of shareholders, or shareholders entitled to receive payment of a dividend, or other distribution, the date on which notice of the meeting is mailed, or the date on which the resolution of the board of directors declaring such dividend is adopted, as the case may be, shall be the record date for determination of shareholders.

(c) If a meeting of the shareholders is called by any person entitled to do so pursuant to Section 6.3 (Meetings of Shareholders), and if the directors fail or refuse to fix a record date for the purpose of determining shareholders entitled to notice of or to vote at such meeting, then the persons calling such meeting may fix a record date in accordance with subsection (a) of this section.

(d) If the by-laws so provide, the directors may, in lieu of fixing a record date as provided in subsection (a), close the stock transfer books for a stated period. Such period shall not in any case exceed fifty days and, in case of a meeting of shareholders, the books shall be closed for at least ten full days immediately preceding the date of such meeting.

(e) When a determination of shareholders entitled to vote at any meeting of shareholders has been made as provided in this section, such determination shall apply to any adjournment thereof, unless a new record date is fixed in accordance with subsection (a) of this section.

SECTION 6.7. List of Shareholders Entitled to Vote at Meeting.

(a) The officer or agent having charge of the stock transfer books for shares of a corporation shall in advance of each meeting of shareholders, prepare a complete list of the shareholders entitled to vote at any meeting of shareholders or adjournment thereof. Such list shall be arranged in alphabetical order, with the address of and the number of shares held by each shareholder. The requirement of a list shall be satisfied, and no list need be prepared, if the record of shareholders readily shows, in alphabetical order or by alphabetical index, and by classes or series if any, the information required to appear in a list of shareholders. For a period commencing upon the date when notice of the meeting is given, and in no event less than ten days prior to the date of the meeting, such list of shareholders shall be kept on file at the registered office of the corporation or at

its principal place of business or at the office of its transfer agent or registrar, and shall be subject to inspection by any shareholder at any time during usual business hours.

(b) The list required by subsection (a) shall also be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting.

(c) The original stock transfer books shall be *prima facie* evidence as to the shareholders who are entitled to examine the list required by subsection (a) or the transfer books or to vote at any meeting of shareholders.

(d) Failure to comply with the requirements of this section shall not affect the validity of any action taken at any meeting.

(e) If the requirements of this section have not been substantially complied with, the meeting shall, on the demand of any shareholder in person or by proxy, be adjourned until the requirements are complied with.

SECTION 6.8. Quorum of Shareholders.

(a) A majority of the shares entitled to vote thereat shall constitute a quorum at a meeting of shareholders, for the transaction of any business, provided that when a specified item of business is required to be voted on by a class or classes, a majority of the shares of such class or classes shall constitute a quorum for the transaction of such items of business. The articles of incorporation may require a greater number to constitute a quorum.

(b) In the absence of a quorum, any meeting of shareholders may be adjourned from time to time by vote of a majority of the shares present.

(c) The shareholders present at a duly called or held meeting at which a quorum is present may continue to do business at the meeting or at any adjournment thereof notwithstanding the withdrawal of enough shareholders to leave less than a quorum.

(d) Shares shall not be counted towards a quorum for a meeting of shareholders if voting of such shares has been enjoined or if for any reason they may not lawfully be voted at such meeting.

SECTION 6.9. Definition of Vote.

(a) The term "vote," as used in this Chapter with respect to action of shareholders of a corporation, shall include, without limitation, votes, waivers, releases, consents, writings signed by shareholders in

lieu of taking action at a meeting of shareholders, and objections or dissents to the foregoing.

(b) The principles applicable to determination of shareholders entitled to vote shall apply, so far as possible to (1) ascertaining the presence of a quorum at a meeting of shareholders, and (2) determining the shareholders entitled to give a proxy to vote.

SECTION 6.10. Required Vote of Shareholders.

(a) Except to the extent that the vote of a greater number of shares or voting by classes of shares is required by this Act or by the articles of incorporation as permitted by this Act, at any meeting of shareholders which has been duly called and at which a quorum is present,

(1) Any corporate action shall be authorized by a majority of the votes cast at the meeting by the holders of shares entitled to vote on the subject matter ;

(2) In elections of directors, those candidates who receive the greatest number of votes cast at the meeting by the holders of shares entitled to vote to elect directors, even though not receiving a majority of the votes cast, shall be deemed elected.

SECTION 6.11. Qualification of Voters.

(a) Each outstanding share, regardless of class, shall entitle the holder thereof to one vote on each matter submitted to the shareholders, except as otherwise provided in this Act, or in the articles of incorporation as permitted by this Act.

(b) The articles of incorporation may, either absolutely or conditionally, deny, limit, or otherwise define the voting powers of any designated preferred or special class or classes of shares.

(c) The articles of incorporation may specify that any class or classes of shares or any series thereof shall vote as a class or series in connection with the transaction of any business or of any specified item of business at a meeting of shareholders, including amendments to the articles of incorporation.

(d) The articles of incorporation may grant, either absolutely or conditionally to the holders of bonds, debentures or other obligations of the corporation the power to vote on specified matters, including the election of directors. Such right shall not be terminated except upon written assent of the holders of two-thirds in aggregate face amount of the bonds or debentures.

SECTION 6.12. Voting by Corporations, Fiduciaries, and Others.

(a) No corporation shall directly or indirectly vote any shares issued by it, including treasury shares, nor shall any shares so dis-

qualified from voting be counted in determining the total number of outstanding shares at any given time.

(b) Shares standing in the name of a domestic or foreign corporation of any type or kind (referred to in this subsection as the "shareholder-corporation") may be voted by the officer, agent, or proxy designated by the by-laws of the shareholder-corporation; or, in the absence of any applicable by-law, by such person as the board of directors of the shareholder-corporation may designate. In the absence of any such designation, the chairman of the board, president, any vice-president, secretary, and treasurer of the shareholder-corporation shall be presumed to possess, in that order, authority to vote such shares, unless prior to such vote it appears by a certified copy of the by-laws or other instrument of the shareholder-corporation that such authority does not exist or is vested in some other officer or person. In case of conflicting representation of the shareholder-corporation, the shares shall be voted by the senior officer, in the order stated.

(c) Any fiduciary may vote shares which stand of record in his name.

(d) Shares held by an executor, administrator, guardian, or committee, may be voted by him, either in person or by proxy, upon proof of his appointment, without transfer of such shares into his name. Any other fiduciary, upon proof satisfactory to the corporation of his authority to vote, may vote shares which stand of record in the name of the person for whom he is such fiduciary.

(e) A minor may vote, in person or by proxy, shares which stand of record in his name, and may not thereafter disaffirm or avoid such vote.

(f) Shares held by a person as custodian for a minor under the South Carolina Uniform Gifts to Minors Act may be voted by the custodian subject to applicable provisions of that Act.

(g) Shares held by or under the control of a trustee in bankruptcy, or receiver or liquidator, may be voted by him without the transfer thereof into his name if authority to do so is conferred by statute or is authorized by the court which appointed such receiver or trustee. An assignee for the benefit of creditors may vote shares standing in the name of the assignor, unless otherwise provided in the instrument of assignment.

(h) A shareholder whose shares are pledged shall be entitled to vote such shares until the shares have been transferred on the records of the corporation into the name of the pledgee or a nominee

of the pledgee, and thereafter the pledgee shall be entitled to vote the shares so long as they stand of record in the pledgee's name.

(i) Shares standing in the name of a partnership may be voted by any partner, and shares standing in the name of a limited partnership may be voted by any general partner.

(j) Shares standing in the name of a person as life tenant may be voted by him, either in person or by proxy.

(k) Redeemable shares which have been called for redemption shall not be entitled to vote on any matter nor be deemed outstanding shares on and after the date on which written notice of redemption has been sent to holders thereof and a sum sufficient to redeem such shares has been deposited with a bank or trust company with irrevocable instructions and authority to pay the redemption price to the holders of the shares upon surrender of certificates therefor.

SECTION 6.13. Shares Owned Jointly.

If two or more persons take or are required to take action with respect to the same shares, including, but not limited to,

(a) fiduciaries who have the same fiduciary relationship to the same shares;

(b) holders of record of the same shares, including but not limited to joint tenants and tenants in common;

(c) shareholders who execute or are to execute proxies as to the same shares;

then, whenever shares are voted, proxies are executed, or other action is taken,

(1) by one of such persons, his act shall bind all;

(2) by more than one of such persons, the act of a majority of those acting shall bind all;

(3) by more than one of such persons but there is an even division among those acting, each faction shall be entitled to vote or otherwise act proportionally, unless the agreement, order of court, or other instrument shall provide otherwise.

SECTION 6.14. Proxies and Irrevocable Proxies.

(a) A shareholder shall not sell his vote to any person, nor shall he issue a proxy to vote for any sum of money or anything of value, except so far as subsection (f) of this section authorizes irrevocable proxies.

(b) Every shareholder entitled to vote may appoint one or more agents to vote on his behalf. Such appointment shall be by a printed or written proxy executed by the shareholder or by his duly appointed

attorney-in-fact, or by a telegram or cablegram appearing to have been transmitted by a shareholder.

(c) No proxy shall be valid after the expiration of 11 months from the date of its execution, unless otherwise specifically provided in the proxy. Every proxy shall be dated as of its execution, and no proxy shall be undated or post-dated. Every proxy, except as otherwise provided in this section, shall be revocable at the pleasure of the shareholder executing it, and a proxy may be revoked by an instrument which in terms revokes the proxy, or by a duly executed proxy bearing a later date. The authority of a proxyholder shall not be revoked by death or supervening incapacity of the shareholder executing the proxy unless, before such authority is exercised, written notice of such death or incapacity is filed with the corporate officer responsible for maintaining the list of shareholders. The presence at a meeting of the shareholders of the shareholder appointing a proxy shall not of itself revoke the proxy, but such shareholder may revoke the appointment by giving notice to the corporate officer responsible for maintaining the list of shareholders, or by giving notice in open meeting of the shareholders.

(d) Unless a proxy otherwise specifically provides, any proxy holder shall have the power to appoint in writing a substitute to act in his place.

(e) No proxy shall be solicited on the basis of any proxy statement, form or proxy, notice of meeting, or other communication, written or oral, containing any statement which was, at the time and in the light of the circumstances under which it was made, false or misleading with respect to any material fact or which omits to state any material fact necessary in order to make the statements therein not false or misleading.

(f) A proxy which is entitled "irrevocable proxy" and which specifically states that it is irrevocable, shall be irrevocable only when it is held by any of the following or by a nominee of any of the following:

- (1) a pledgee of the shares which are the subject of the proxy;

- (2) a person who has contracted to purchase the shares which are the subject of the proxy;

- (3) a creditor or creditors of the corporation who extend or continue credit to the corporation in consideration of the proxy, if such proxy specifically states that it was given in consideration of such extension or continuation of credit, and sets forth

the amount of, and the name of the person extending or continuing, credit;

(4) an officer of the corporation under an employment contract which required a proxy, if the proxy states that it was given in consideration of the contract, the name of the employee, and the period of employment contracted for;

(5) a person, including an arbitrator, designated by or under a shareholders' agreement as provided by Section 6.15 (Agreements by Shareholders Respecting Voting of Shares). Any such proxy shall become revocable after the pledge is redeemed, or the contract of purchase has been performed and the purchaser has become a shareholder of record, or the debt of the corporation is paid, or the period of employment stipulated in the contract of employment has been terminated, or the agreement under Section 6.15 has terminated.

(g) No proxy, whether or not designated as irrevocable as permitted by subsection (f), shall be valid after 10 years from the date of its execution, unless before the expiration date such proxy is renewed or extended for not more than 10 years from the date of such renewal or extension.

(h) A proxy may be revoked, notwithstanding a provision making it irrevocable, by a purchaser of shares without knowledge of the existence of such provision, unless notice of the proxy and of its irrevocability plainly appears on the face or back of the certificate representing such shares.

(i) The foregoing provisions shall be applicable to proxies given by the holders of a corporation's bonds, debentures or other obligations where a right to vote is conferred upon such holders by the articles of incorporation as permitted by subsection (d) of Section 6.11 (Qualification of Voters).

(j) The provisions of Section 6.12 (Voting by Corporations, Fiduciaries, and Others) shall be applicable in determining persons entitled to give a proxy under this section.

SECTION 6.15. Agreements by Shareholders Respecting Voting of Shares.

An otherwise valid agreement between two or more shareholders, if in writing and signed by the parties thereto, may provide that in exercising any voting rights of shares held by the parties, including any vote with respect to directors, such shares shall be voted as provided by the agreement, or as the parties may agree, or as de-

terminated in accordance with a procedure agreed upon by the parties. Such agreement shall be valid and enforceable as between the parties thereto, for a period not to exceed ten years from the date of its execution. Such agreement may be extended or renewed in like manner as a voting trust may be extended or renewed as provided by Section 6.16 (Voting Trusts).

SECTION 6.16. Voting Trusts.

(a) Any shareholder or shareholders may create a voting trust, revocable or irrevocable, for the purpose of conferring upon a trustee or trustees the right to vote or otherwise represent their shares, for a period not exceeding 10 years, by executing a written agreement specifying the terms and conditions of the voting trust, and by transferring the shares to such trustee or trustees for the purposes stated in the agreement. The certificates or shares so transferred may be

(1) surrendered by the trustee to the corporation which shall thereupon cancel the shares and issue new certificates therefor to the trustee or trustees stating that they are issued under the voting trust agreement, or

(2) in lieu thereof, retained by the trustee.

In either case, the corporation shall specifically enter into its records the fact that such shares are subject to the voting trust agreement. In any case, trust certificates shall be issued by the trustees to the shareholders who transfer their shares in trust.

(b) A fully conformed copy of the voting trust agreement (including any amendments to or changes in the agreement) shall be on file both at the corporation's registered office, and with the voting trustee or trustees. Such conformed copies shall be subject at any reasonable time to examination by any shareholder of the corporation, or by any holder of a voting trust certificate, in person or by attorney or other agent.

(c) The trustee or trustees shall keep a complete and current list of the names and addresses of all persons who are holders of voting trust certificates and the number and class of shares represented by the certificates held by them and the dates when they became the owners thereof. Such list shall be kept on file at the office of the trustee or trustees and at the registered office of the corporation, and shall be subject at any reasonable time to examination by any shareholder of the corporation or by any holder of a voting trust certificate, in person or by attorney or other agent.

(d) The holder of a voting trust certificate shall be considered to be a shareholder of the shares represented by his trust certificate with respect to his right to inspect corporate books and records.

(e) At any time within one year before the expiration of a voting trust agreement as originally created or as extended under this subsection, one or more holders of voting trust certificates may, by agreement in writing, extend the duration of such agreement, nominating the same or substitute trustee or trustees, for an additional period not to exceed 10 years from the date of such extension. Such extension agreement shall not affect the rights or obligations of persons not parties to the agreement, and such persons shall be entitled to remove their shares from the trust and promptly to have their share certificates re-issued to them. The extension agreement shall comply with all provisions of this section applicable to the original voting trust agreement.

(f) The validity of a voting trust agreement, otherwise lawful, shall not be affected during a period of 10 years from the date of its creation or extension, by the fact that by its terms it will or may last beyond such 10 year period; but it shall, after the expiration of such 10 year period, be inoperative.

(g) The trustee or trustees under a voting trust agreement shall, unless otherwise provided by the agreement, vote upon all amendments of the charter, and upon any merger, consolidation, dissolution, sale of assets or reduction of stated capital of the corporation. Except to the extent that the voting trust agreement provides otherwise, whenever any provision of this Act grants a shareholder the right to dissent to proposed corporate action and to be paid the fair value of his shares if such action is effected, the holder of a voting trust certificate shall, to the extent of the shares represented thereby, have such right as if he had not transferred his shares in trust.

SECTION 6.17. Voting Inspectors.

(a) Unless otherwise provided in the by-laws, the board of directors, in advance of any shareholder's meeting, may appoint any odd number of inspectors to act at the meeting or any adjournment thereof. If inspectors are not so appointed, the person presiding at a shareholders' meeting may, and upon the request of any shareholder entitled to vote thereat shall, appoint inspectors. Any vacancy, whether from refusal to act or otherwise, may be filled by appointment made by the board of directors in advance of the meeting, or at the meeting by the person presiding thereat. Each inspector, before

entering upon the discharge of his duties, shall take an oath to execute his duties impartially and to the best of his ability.

(b) The inspectors shall determine the number of shares outstanding and the voting power of each, the shares represented at the meeting, the existence of a quorum and the authenticity, validity and effect of proxies; they shall receive votes, hear and determine all challenges and questions arising in connection with the right to vote, count and tabulate all votes, determine and announce the result, and otherwise see that the vote or election is conducted with fairness to all shareholders.

(c) Upon request of the person presiding at the meeting or of any shareholder entitled to vote thereat, the inspectors shall make a report in writing of any challenge, question, or matter determined by them and execute a certificate of any fact found by them.

(d) Any report or certificate made by the inspectors shall be *prima facie* evidence of the facts stated therein and of the vote as certified by them.

SECTION 6.18. Informal or Irregular Action by Shareholders.

(a) Action taken at any meeting of shareholders, however called and with whatever notice, if any, is as valid as though taken at a meeting duly called and held on proper notice, if:

(1) All shareholders entitled to vote at the meeting are present in person or by proxy, and no shareholder objects to holding the meeting; or

(2) If a quorum is present either in person or by proxy, no one present objects to holding the meeting, and each absent person entitled to vote at the meeting signs, either before or after the meeting, a written waiver of notice, or consent to the holding of the meeting, or approval of the action taken as shown by the minutes thereof. All such waivers, consents, or approval shall be filed with the corporate records or made a part of the minutes of the meeting. The absence from the minutes of any indication that a shareholder objected to holding the meeting shall *prima facie* establish that no such objection was made.

(b) Action required or permitted under this Act to be taken by shareholders may be taken without a meeting if a written consent, setting forth the action so taken, is signed by the holders of all outstanding shares entitled to vote on such action and is filed with the secretary of the corporation as part of the corporate records. Such written consent shall have the same effect as a unanimous vote of the

shareholders and may be stated as such in any certificate or document required to be filed with the Secretary of State.

SECTION 6.19. Judicial Review of Election of Directors and Appointment of Officers.

(a) Any shareholder or any director of a domestic corporation may initiate a proceeding, including an action for declaratory judgment, to determine any controversy with respect to an election or appointment of a director or officer of the corporation. The proceeding shall be brought in the court of the county in which the registered office of the corporation is located in this State.

(b) In any such proceeding, copies of the petition shall be served upon (1) the corporation, (2) the person whose title to office is contested, and (3) the person, if any, claiming the contested office. The court may make such additional orders, as it may deem proper, to insure prompt and adequate notice, including service by publication.

(c) In any such proceeding, the court may compel the production of books, papers, and records of the corporation relevant to the issue or issues presented. The court may, upon application, issue an interlocutory order restraining the directors or officers whose election or appointment is contested from acting, and may make such other order as the court may deem proper pending the determination of the matter in controversy.

(d) The petition shall be heard as expeditiously as possible, upon affidavits or oral testimony, as the court shall direct. Upon completion of the hearing, the court may:

(1) Declare the result of the contested election or appointment;

(2) Direct a new election or appointment, including in such order, if the court finds it appropriate,

(A) Provisions relating to the director or officer who shall hold the challenged office until a new election is held or appointment is made; and

(B) A provision appointing a special master to conduct any election ordered by the court;

(3) Determine the voting rights of shareholders and of persons claiming to own shares or otherwise entitled to vote; and

(4) Direct such other relief as may be just and proper.

SECTION 6.20. Cumulative Voting.

(a) Each holder of shares entitled to vote at an election of directors shall have the right to cumulate his votes either by giving to

one candidate as many votes as shall equal the number of directors to be elected multiplied by the number of shares owned by such holder, or by distributing his votes on the same principle among any number of candidates.

(b) No shares shall be voted as provided in subsection (a) unless the shareholder intending to vote cumulatively shall either (1) give written notice of such intention to the president or other officer of the corporation not less than 48 hours before the time fixed for the meeting, or (2) shall announce his intention in such meeting before the voting for directors shall commence, in which event the person presiding may, or if requested by any shareholder shall, recess the meeting for a period not to exceed two hours.

SECTION 6.21. Pre-emptive Rights.

(a) As used in this section, the term "pre-emptive right" means the right to acquire shares, securities, options, and rights as provided by this section, and such pre-emptive right shall be exclusive.

(b) Except to the extent that the articles of incorporation shall otherwise provide, the holders of shares of any class, other than shares of a preferred or special class, shall, in the event of

(1) the proposed sale by the corporation for cash of additional shares of the same class; or

(2) the grant by the corporation of any options or rights to purchase shares of the same class; or

(3) the proposed sale by the corporation for cash of any securities convertible into or carrying an option to purchase shares of the same class,

have the right to acquire such securities, as nearly as practicable, in proportion to their holding of shares of such class. The pre-emptive right shall exist whether or not the shares which are to be sold or which are subject to any options or rights are authorized but unissued shares, treasury shares, or other shares. The price to each holder shall be no less favorable than the price at which such shares, securities, options, or rights are to be offered to other holders. The holders of shares entitled to the pre-emptive right, and the number of shares for which they have a pre-emptive right, shall be determined by fixing a record date in accordance with Section 6.6 (Fixing Record Date for Determining Shareholders).

(c) The holders of preferred shares may be granted the pre-emptive right if and to the extent that the articles of incorporation so provide.

(d) Except as otherwise provided in the articles of incorporation, there shall be no pre-emptive right with respect to:

- (1) Shares issued as a share dividend;
- (2) Shares issued for consideration other than cash;
- (3) Shares issued to effect a merger or consolidation or purchase of assets;
- (4) Shares authorized in the corporation's original articles of incorporation, and issued, sold, or optioned within two years of the date of filing the articles;
- (5) Shares issued under a plan of re-organization approved in a proceeding under any applicable act of Congress relating to the re-organization of corporations;
- (6) Shares issued to satisfy conversion or option rights previously granted by the corporation;
- (7) Shares issued or optioned to employees as provided in Section 5.8 (Share Rights and Options);
- (8) Shares released by waiver from their pre-emptive right;
- (9) Shares which have been offered to shareholders to satisfy their pre-emptive rights but not purchased by them within the prescribed time, and which are thereafter issued, sold, or optioned to any other person or persons at a price not less than the price at which they were offered to such stockholders.

(e) Except as otherwise provided in the articles of incorporation, and this section, no holder of shares of any class shall have any pre-emptive right with respect to shares or securities of any other class which may be issued, sold, or optioned by the corporation.

(f) The sale or other disposition by the corporation of shares or securities not subject to the pre-emptive right under this section or under the articles of incorporation as permitted by this section, shall not impair any remedy which any shareholder may have for a breach of duty by the board of directors.

(g) The holders of shares entitled to the pre-emptive right shall be given prompt notice setting forth the time within which and the terms and conditions upon which such shareholders may exercise their pre-emptive right. Such notice shall be given personally or by mail at least 30 days prior to the expiration of the period during which the right may be exercised.

SECTION 6.22. Agreements Among Shareholders Respecting Management of the Corporation and Relations of Shareholders.

(a) No agreement among shareholders respecting the management and affairs of their corporation or the relations of shareholders among

themselves shall be deemed invalid solely because the agreement purports to treat the affairs of the corporation as if it were a partnership and the shareholders as if they were partners.

(b) No written agreement, whether contained in the articles of incorporation or by-laws or in a written side agreement, and which relates to any phase of the affairs of the corporation, shall be deemed invalid solely because the agreement limits or restricts the powers or discretion of the directors of the corporation, if the following conditions are satisfied:

(1) The agreement is set forth, or its existence is clearly referred to, in the articles of incorporation;

(2) The agreement has been authorized by all shareholders of the corporation, whether or not entitled to vote to elect directors;

(3) The term of the agreement does not exceed ten years from the date thereof. Any such agreement shall be renewable at any time within one year before the expiration of such ten year period by agreement of all of the shareholders bound thereby at the date of renewal.

(c) An agreement authorized by subsection (b) shall be valid only so long as the shares of the corporation are not traded on any national securities exchange or regularly traded in any over-the-counter market maintained by one or more brokers or dealers in securities.

(d) A transferee of shares in a corporation whose shareholders have entered into an agreement authorized by subsection (b) shall be bound by such agreement if he takes the shares with actual notice thereof. A transferee shall be deemed to have actual notice of any such agreement if the text of the agreement, with any amendments, is set forth in the articles of incorporation.

(e) The effect of an agreement authorized by subsection (b) shall be to relieve the director or directors of, and to impose upon the shareholders consenting to the agreement, the liability for managerial acts or omissions that is imposed by law upon directors to the extent that and so long as the discretion or powers of the directors in their management of corporate affairs is controlled by any such provision.

SECTION 6.23. Liability of Subscribers and Shareholders.

(a) A holder of or subscriber to shares of a corporation shall be liable with respect to such shares or subscriptions only to pay the full amount remaining due to the corporation upon such shares or

subscription. Such liability shall inure to and may be enforced by the corporation or by any shareholder suing derivatively on behalf of the corporation, and by a receiver, liquidator or trustee in bankruptcy of the corporation.

(b) No person becoming an assignee or transferee of shares or of a subscription for shares in good faith and without knowledge or notice that the full consideration therefor has not been paid, shall be personally liable under subsection (a) for any unpaid portion of such consideration, but the assignor or transferor shall remain liable therefor.

(c) No pledgee or other holder of shares as collateral security shall be personally liable under subsection (a) with respect to such shares, but the person pledging such shares or transferring them as collateral shall be considered the holder thereof and shall be liable under subsection (a).

(d) No trustee, executor, administrator, guardian, committee, custodian under the South Carolina Uniform Gifts for Minors Act, liquidator, receiver, trustee in bankruptcy, assignee for the benefit of creditors, or other fiduciary shall be personally liable under subsection (a) as a holder of or subscriber to shares of a corporation, but the estate or funds in his hands or under his control shall be so liable. Nothing in the foregoing shall relieve any fiduciary of liability for any breach of trust.

SECTION 6.24. Liability of Shareholders Receiving Improper Distributions.

Any shareholder who receives any distribution or payment from a corporation, whether by dividend, purchase or redemption of shares, by distribution in liquidation or reduction of capital, or otherwise, either at a time when the corporation is or will thereby be rendered insolvent, or when the shareholder knows or has reason to know that such distribution or payment is contrary to this Act or to the articles of incorporation, shall be liable for the amount of such payment or value of such distribution which is in excess of the amount or value which could have been paid or distributed without violation of this Act or of the articles. Such liability shall inure to and may be enforced by the corporation or by any shareholder suing derivatively on behalf of the corporation, and by a receiver, liquidator, or trustee in bankruptcy of the corporation.

SECTION 6.25. Books and Records Required to be Kept by Corporation Financial Statements.

(a) Each corporation shall keep correct and complete books and records of account; and shall keep minutes of the proceedings of its shareholders, board of directors, and committees of directors.

(b) Each corporation shall keep in this State at its registered office or principal place of business or at the office of its transfer agent or registrar, a record of its shareholders, giving the name and address of each shareholder, the number and class of the shares held by each, and the date or dates when each respectively became the owner of record of such shares.

(c) Not later than five months after the close of each fiscal year, each corporation shall prepare a balance sheet showing in reasonable detail the financial condition of the corporation as of the close of its fiscal year, and profit and loss statement respecting its operation for the immediately preceding twelve months. Upon written request, the corporation shall mail to any shareholder of record a copy of such statements. Balance sheets and profit and loss statements shall be filed in the registered office of the corporation in this State, shall be kept for at least ten years, and shall be subject to inspection during business hours by any shareholder of record or any voting trust certificate holder, in person or by agent.

(d) Each corporation shall keep in this State at its registered office a current copy of its by-laws, and a conformed copy of every document required or permitted by this Act to be filed with the Secretary of State, and such documents shall be subject to inspection during business hours by any shareholder of record or any voting trust certificate holder, in person or by agent.

(e) Each corporation which refuses, when requested by any shareholder, to furnish a current balance sheet and profit and loss statement, or to permit any shareholder to make inspection as provided by subsections (c) and (d) of this section shall be liable to the shareholder in a penalty of \$50.00 (fifty dollars) for each violation.

SECTION 6.26. Right of Shareholders to Inspect Corporate Records.

(a) A "shareholder" entitled to inspect the books of and records of a corporation, as provided by this section, shall mean:

(1) Any person who shall have been a holder of record of shares of any class for at least six months immediately preceding his demand for inspection;

(2) Any person who shall be the holder of record of, or any persons whose aggregate holdings of record shall equal, at least five percent (5%) of the outstanding shares of any class;

(3) Any person or persons who hold voting trust certificates representing shares aggregating at least five percent (5%) of the outstanding shares of that class;

(4) An attorney, accountant or other agent of any of the foregoing persons.

(b) Any such shareholder shall have the right to examine at any reasonable time or times, for any proper purpose, the corporation's books and records of account, minutes of meetings of the shareholders, and record of shareholders, and to copy them or make extracts therefrom.

(c) A corporation, its transfer agent or registrar may deny the inspection authorized by subsection (b) if the shareholder refuses, upon request, to furnish an affidavit that the inspection is not sought for a purpose which is in the interest of a business or object other than the business of the corporation, that he has not within the five years preceding the date of the affidavit sold or offered for sale and does not now intend to sell or offer for sale, any list of shareholders of the corporation or of any other corporation, and that he has not aided or abetted any other person in procuring any list of shareholders for such purpose.

(d) If the corporation, or an officer or agent of the corporation, refuses to permit the inspection authorized by subsection (b) the shareholder demanding inspection may apply to the court of the county in which the corporation's registered office is located, upon such notice as the court may require, for an order directing the corporation, its officers or agent to show cause why an order should not be granted permitting such inspection by the applicant. The court shall hear the parties summarily, and if the applicant establishes that he is qualified and entitled to such inspection, the court shall grant an order permitting such inspection, subject to any limitations which the court may prescribe, and grant such other relief as to the court may seem just and proper. The court may deny or restrict inspection if it finds that the shareholder has improperly used information secured through any prior examination of the books and records of account, or minutes or record of shareholders of such corporation or of any other corporation, or that he was not acting in good faith or for a proper purpose in making his demand.

(e) In any proceeding to which a domestic corporation is a party, the court may, upon notice fixed by the court and after hearing and proper cause shown, and upon such terms and conditions as the court in its discretion may prescribe, order books, documents and records of such corporation, pertinent extracts therefrom, or duly authenticated copies thereof, to be brought within this State and kept in such place in this State and for such time and purposes as the order may prescribe.

(f) Nothing herein contained shall impair the power of any court of competent jurisdiction, upon proof of proper purpose by a shareholder, irrespective of the period of time during which he has been a shareholder of record, and irrespective of the number of shares held by him, to compel the production of any of the corporation's books and records, wherever located, as the court in its discretion shall determine to be appropriate for inspection.

SECTION 6.27. Right of Dissenting Shareholders to Payment for Shares.

(a) A shareholder having a right under any provision of this Act to dissent to proposed corporate action and to receive the fair value of his shares shall, by complying with the procedure in this section, be paid the fair value of his shares if the corporate action to which he dissented is effected. The fair value of shares shall be determined as of the day prior to the date on which the vote was taken approving the proposed corporate action, excluding any appreciation or depreciation of shares in anticipation of such corporate action.

(b) The shareholder shall file with the corporation, prior to or at the meeting of shareholders at which the proposed corporate action is submitted to a vote, a written objection to the proposed action. No such objection shall be required from any shareholder to whom the corporation did not give notice of such meeting in accordance with this Act.

(c) If the proposed corporate action is approved by the requisite vote and the shareholder did not vote, either in person or by proxy, in favor thereof, he shall file a written demand for payment of the fair value of his shares. Such demand shall be filed within a period of twenty days (referred to in this section as the "demand period") after the date on which the vote was taken, or in case of a merger of a subsidiary into its parent corporation, after the plan of such merger shall have been mailed to the shareholders of the subsidiary corporation. The demand shall be filed with the corporation, or, in the

case of a merger or consolidation, with the surviving or new corporation. A demand filed by a shareholder may not be withdrawn unless the corporation shall consent thereto.

(d) If any shareholder shall fail, within the demand period, to demand the fair value of his shares, he shall be bound by the terms of the proposed corporate action. Any shareholder filing such demand shall thereafter be entitled only to payment of the fair value of his shares and shall not be entitled to vote or to exercise any other rights of a shareholder.

(e) The right of a shareholder otherwise entitled to be paid the fair value of his shares shall cease, and his status as a shareholder shall be restored, without prejudice to any corporate proceedings which may have been taken during the interim,

(1) if the demand filed by the shareholder shall be withdrawn upon consent, or,

(2) if the proposed corporate action shall be abandoned or rescinded, or the shareholders shall revoke the authority to effect such action, or,

(3) if, in the case of a merger, on the date of the filing of the articles of merger the surviving corporation is the owner of all the outstanding shares of the other corporations, domestic and foreign, that are parties to the merger, as provided by Section 10.9 (b) (Right of Shareholders to Dissent to Certain Mergers and Consolidations), or,

(4) if no demand or petition for the determination of fair value by a court shall have been made or filed within the time provided in this section, or,

(5) if a court of competent jurisdiction shall determine that such shareholder is not entitled to the relief provided by this section.

(f) At the time of filing a demand, or within twenty days thereafter, each shareholder demanding payment shall submit the certificates representing his shares to the corporation or to its transfer agent which shall promptly note thereon that such demand has been made, and shall thereupon return the certificate to the shareholder. A shareholder's failure to submit his certificates shall, at the option of the corporation, terminate his rights under this section unless a court of competent jurisdiction, for good and sufficient cause shown, shall otherwise direct. If shares represented by a certificate on which such notation has been made shall be transferred, each new certificate

issued therefor shall bear a similar notation, together with the name of the original dissenting holder of such shares, and a transferee of such shares shall acquire by such transfer no rights in the corporation other than those which the original dissenting shareholder had after making demand for payment of the fair value thereof.

(g) Within the time prescribed by this subsection, the corporation, or, in the case of a merger or consolidation, the surviving or new corporation, domestic or foreign, shall make to each dissenting shareholder who has filed a demand a written offer to pay for such shares at a specified price deemed by such corporation to be the fair value thereof. Such offer shall be made at the same price per share to all dissenting shareholders of the same class, and shall be accompanied by a balance sheet of the corporation the shares of which the dissenting shareholder holds, as of the latest available date and not more than twelve months prior to the making of such offer, and a profit and loss statement of such corporation for the twelve months' period ended on the date of such balance sheet. Such offer shall be made within the later of (1) ten days after the expiration of the demand period, or (2) ten days after the corporate action is effected, and corporate action shall be deemed effected on a sale of assets when the sale is consummated, and in a merger or consolidation when the articles of merger or consolidation are filed or on the effective date of the merger or consolidation when such date is postponed as permitted by this Act.

(h) If within thirty days after the corporate action is effected, or within thirty days after the demand period has expired, whichever is later, the fair value of such shares is agreed upon between any dissenting shareholder and the corporation, payment therefor shall be made within ninety days after the date on which such corporate action was effected, upon surrender of the certificate or certificates representing such shares. Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares.

(i) If within the thirty day period prescribed by subsection (h), a dissenting shareholder and the corporation do not agree as to the fair value of the shares:

(1) The corporation shall, within thirty days thereafter, institute an action in the court of the county in which its registered office is located for a determination of the fair value of the shares. If, in the case of a merger or consolidation, the surviving or new corporation is a foreign corporation without a registered office in this State, such petition shall be filed in the court of the county

where the registered office of the participating domestic corporation was last located.

(2) If the corporation fails to institute such proceedings within the thirty day period specified in subsection (i) (1), any dissenting shareholder may, within the next succeeding thirty days, bring a suit for the fair value of his shares.

(3) In any such proceeding, whether by the corporation, or by a dissenting shareholder, all dissenting shareholders, except those who have agreed with the corporation upon the price to be paid for their shares, shall be made parties to the proceeding as an action against their shares *quasi in rem*. The corporation shall serve a copy of the petition or summons upon each dissenting shareholder who is a resident of this state, and, by registered or certified mail on each dissenting shareholder who is a non-resident. Service on non-residents shall also be made by publication as provided by law. The jurisdiction of the court shall be plenary and exclusive.

(4) The court shall determine whether each dissenting shareholder, as to whom the corporation requests the court to make such determination, is entitled to receive payment for his shares. The court shall then proceed to fix the fair value of the shares. The court may, if it so elects, appoint one or more persons as appraisers to receive evidence and recommend a decision on the question of fair value. The appraisers shall have such power and authority as shall be specified in the order of their appointment or any amendment thereof.

(5) All shareholders who are parties to the proceeding shall be entitled to judgment against the corporation for the amount of the fair value of their shares except any shareholder whom the court shall have determined not to be entitled to receive payment for his shares. The judgment shall be payable only upon and concurrently with the surrender to the corporation of the certificate or certificates representing such shares. Upon payment of the judgment, the dissenting shareholder shall cease to have any interest in such shares.

(6) The judgment shall include an allowance for interest at such rate as the court may find to be fair and equitable in all the circumstances, from the date on which the vote was taken on the proposed corporate action to the date of payment. If the court finds that the refusal of any shareholder to accept the cor-

porate offer of payment for his shares was arbitrary, vexatious, or otherwise not in good faith, it may in its discretion refuse to allow interest to him.

(7) The costs and expenses of any such proceeding, including reasonable compensation for and reasonable expenses of the appraisers and fees and expenses of counsel for any party, shall be determined by the court and shall be assessed against the corporation, but all or any part of such costs and expenses may be apportioned and assessed as the court may deem equitable against any or all of the dissenting shareholders who are parties to the proceeding to whom the corporation shall have made an offer to pay for the shares if the court shall find that the action of such shareholders in failing to accept such offer was arbitrary or vexatious or otherwise not in good faith. Such expenses shall not include the fees and expenses of experts employed by any party unless the court so orders. If the fair value of the shares as determined materially exceeds the amount which the corporation offered to pay therefor, or if no offer was made, the court in its discretion may award to any shareholder who is a party to the proceeding such sum as the court may determine to be reasonable compensation to any expert or experts employed by the shareholder in the proceeding.

(j) Shares acquired by a corporation pursuant to payment of the agreed value therefor or payment of the judgment entered therefor, may be held and disposed of by such corporation as in the case of other treasury shares, but in the case of a merger or consolidation, they may be held and disposed of as the plan of merger or consolidation may otherwise provide.

(k) No action by a shareholder in the right of the corporation shall abate or be barred by the fact that the shareholder has filed a demand for payment of the fair value of his shares pursuant to the provisions of this section.

Chapter 7. UNIFORM STOCK TRANSFER ACT

SECTION 7.1. Definition of Endorsement.

A certificate is endorsed when an assignment or a power of attorney to sell, assign or transfer the certificate or the shares represented thereby is written on the certificate and signed by the person appearing by the certificate to be the owner of the shares represented thereby or when the signature of such person is written without more

upon the back of the certificate. In any of such cases a certificate is endorsed though it has not been delivered.

SECTION 7.2. Definition of Person Appearing to be Owner of Certificate.

The person to whom a certificate was originally issued is the person appearing by the certificate to be the owner thereof and of the shares represented thereby until and unless he endorses the certificate to another person and thereupon such other specified person is the person appearing by the certificate to be the owner thereof until and unless he also endorses the certificate to another specified person. Subsequent special endorsements may be made with like effect.

SECTION 7.3. Other Definitions.

(a) In this chapter, unless the context or subject matter otherwise requires,

(1) "Certificate" means a certificate of shares in a corporation organized under the laws of this State or of another state whose laws are consistent with this chapter;

(2) "Delivery" means voluntary transfer of possession from one person to another;

(3) "Person" includes two or more persons having a joint or common interest;

(4) "Purchase" includes taking as mortgagee or as pledgee;

(5) "Purchaser" includes mortgagee and pledgee;

(6) "Shares" means a share or shares in any corporation organized under the laws of this State or of another state whose laws are consistent with this chapter;

(7) "Transfer" means transfer of legal titles;

(8) "Title" means legal title and does not include a merely equitable or beneficial ownership or interest;

(9) "Value" is any consideration sufficient to support a simple contract. An antecedent or pre-existing obligation, whether for money or not constitutes value when a certificate is taken either in satisfaction thereof or as security therefor.

(10) A thing is done "in good faith," within the meaning of this chapter, when it is in fact done honestly, whether it be done negligently or not.

(b) The definitions in Section 1.2 (Definitions) are applicable to this chapter.

SECTION 7.4. How Title to Certificate and Shares Transferred.

(a) Title to a certificate and to the shares in a corporation represented thereby can be transferred only:

(1) By delivery of the certificate endorsed either in blank or to a specified person by the person appearing by the certificate to be the owner of the shares represented thereby; or

(2) By delivery of the certificate and a separate document containing a written assignment of the certificate or a power of attorney to sell, assign or transfer the same or the shares represented thereby signed by the person appearing by the certificate to be the owner of the shares represented thereby. Such assignment or power of attorney may be either in blank or to a specified person.

(b) The provisions of this section shall be applicable although the charter or articles of incorporation or code of regulation or by-laws of the corporation issuing the certificate and the certificate itself provide that the shares represented thereby shall be transferable only on the books of the corporation or shall be registered by a registrar or transferred by a transfer agent.

SECTION 7.5. Powers of Persons Lacking Legal Capacity and Fiduciaries.

Nothing in this chapter shall be construed as enlarging the powers of an infant or other person lacking full legal capacity or of a trustee, executor or administrator or other fiduciary to make a valid endorsement, assignment or power of attorney.

SECTION 7.6. Corporation Not Forbidden to Treat Registered Holder as Owner.

Nothing in this chapter shall be construed as forbidding a corporation,

(a) to recognize the exclusive right of a person registered on its books as the owner of shares to receive dividends and to vote as such owner; or

(b) to hold liable for calls and assessments a person registered on its books as the owner of shares.

SECTION 7.7. Title Derived from Certificate Extinguishes Title from Separate Document.

The title of a transferee of a certificate under a power of attorney or assignment not written upon the certificate and the title of any

person claiming under such transferee shall cease and determine if, at any time prior to the surrender of the certificate to the corporation issuing it, another person, for value in good faith and without notice of the prior transfer, shall purchase and obtain delivery of such certificate with the endorsement of the person appearing by the certificate to be the owner thereof or shall purchase and obtain delivery of such certificate and the written assignment or power of attorney of such person, though contained in a separate document.

SECTION 7.8. Who May Deliver a Certificate.

The delivery of a certificate to transfer title in accordance with the provisions of Section 7.4 (How Title to Certificate and Shares Transferred) is effectual, except as provided in Section 7.10 (Rescission of Transfer), though made by one having no right of possession and having no authority from the owner of the certificate or from the person purporting to transfer the title.

SECTION 7.9. Endorsement Effectual in Spite of Fraud, Duress, Mistake, Etc.

The endorsement of a certificate by the person appearing by the certificate to be the owner of the shares represented thereby is effectual, except as provided in Section 7.10 (Rescission of Transfer), though the endorser or transferor :

- (a) Was induced by fraud, duress or mistake to make the endorsement or delivery ;
- (b) Has revoked the delivery of the certificate or the authority given by the endorsement or delivery of the certificate ;
- (c) Has died or become legally incapacitated after the endorsement, whether before or after the delivery of the certificate ; or
- (d) Has received no consideration.

SECTION 7.10. Rescission of Transfer.

- (a) If the endorsement or delivery of a certificate
 - (1) was procured by fraud or duress or
 - (2) was made under such mistake as to make the endorsement or delivery inequitable ; or
- If the delivery of a certificate was made
- (3) without authority from the owner or
 - (4) after the owner's death or legal incapacity,

The possession of the certificate may be reclaimed and the transfer thereof rescinded, unless :

(A) The certificate has been transferred to a purchaser for value in good faith without notice of any facts making the transfer wrongful; or

(B) The injured person has elected to waive the injury or has been guilty of laches in endeavoring to enforce his rights.

(b) Any court of appropriate jurisdiction may endorse specifically such right to reclaim the possession of the certificate or to rescind the transfer thereof and, pending litigation, may enjoin the further transfer of the certificate or impound it.

SECTION 7.11. Rights of Bona Fide Purchaser After Rescission of Transfer.

Although the transfer of a certificate or the shares represented thereby has been rescinded or set aside, nevertheless, if the transferee has possession of the certificate or of a new certificate representing part of the whole or the same shares, a subsequent transfer of such certificate by the transferee, mediately or immediately, to a purchaser for value in good faith, without notice of any facts making the transfer wrongful, shall give such purchaser an indefeasible right to the certificate and the shares represented thereby.

SECTION 7.12. Delivery of Unendorsed Certificate Imposes Obligation to Endorse.

The delivery of a certificate by the person appearing by the certificate to be the owner thereof without the endorsement requisite for the transfer of the certificate and the shares represented thereby, but with intent to transfer such certificate or shares, shall impose an obligation, in the absence of an agreement to the contrary, upon the person so delivering to complete the transfer by making the necessary endorsement. The transfer shall take effect as of the time when the endorsement is actually made. This obligation may be specifically enforced.

SECTION 7.13. Ineffectual Attempt to Transfer Treated as Promise to Transfer.

An attempted transfer of title to a certificate or to the shares represented thereby without delivery of the certificate shall have the effect of a promise to transfer and the obligation, if any, imposed by such promise shall be determined by the law governing the formation and performance of contracts.

SECTION 7.14. Warranties on Sale of Certificates.

(a) A person who for value transfers a certificate, including one who assigns for value a claim secured by a certificate, unless a contrary intention appears, warrants:

(1) That the certificate is genuine;

(2) That he has a legal right to transfer it; and

(3) That he has no knowledge of any fact which would impair the validity of the certificate.

(b) In the case of an assignment of a claim secured by a certificate the liability of the assignor upon such warranty shall not exceed the amount of the claim.

SECTION 7.15. No Warranty Implied from Accepting Payment of Debt.

A mortgagee, pledgee or other holder for security of a certificate who in good faith demands or receives payment of the debt for which such certificate is security, whether from a party to a draft drawn for such debt or from any other person, shall not by so doing be deemed to represent or to warrant the genuineness of such certificate or the value of the shares represented thereby.

SECTION 7.16. No attachment or Levy Upon Shares Unless Certificate Surrendered or Transfer Enjoined.

No attachment or levy upon shares for which a certificate is outstanding shall be valid until such certificate be actually seized by the officer making the attachment or levy or be surrendered to the corporation which issued it or its transfer by the holder be enjoined.

SECTION 7.17. Creditors' Remedies to Reach Certificate.

A creditor whose debtor is the owner of a certificate shall be entitled to such aid from courts of appropriate jurisdiction, by injunction and otherwise, in attaching such certificate or in satisfying the claim by means thereof as is allowed at law or in equity in regard to property which cannot readily be attached or levied upon by ordinary legal process.

SECTION 7.18. No Lien or Restriction Unless Indicated on Certificate.

There shall be no lien in favor of a corporation upon the shares represented by a certificate issued by such corporation and there shall be no restriction upon the transfer of shares so represented

by virtue of the articles of incorporation, or by-laws of the corporation, any agreement or contract, or otherwise, unless the right of the corporation to such lien or the restriction or a clear reference thereto is stated upon the certificate.

SECTION 7.19. Alteration of Certificate Does Not Divest Title to Shares.

The alteration of a certificate, whether fraudulent or not and by whomsoever made, shall not deprive the owner of his title to the certificate and the shares originally represented thereby and the transfer of such certificate shall convey to the transferee a good title to such certificate and to the shares originally represented thereby.

SECTION 7.20. Surrender of Certificate Required.

Except when a certificate is lost or destroyed a corporation shall not be compelled to issue a new certificate for the shares until the old certificate is surrendered to it.

SECTION 7.21. Judicial Procedure Compelling Issue of New Certificates.

(a) When a certificate has been lost or destroyed a court of competent jurisdiction may order the issue of a new certificate therefor on service of process upon the corporation and on reasonable notice by publication and in any other way which the court may direct to all persons interested and upon satisfactory proof of such loss or destruction and upon the giving of a bond with sufficient surety to be approved by the court to protect the corporation or any person injured by the issue of the new certificate from any liability or expense which it or they may incur by reason of the original certificate remaining outstanding. The court may also in its discretion order the payment of the corporation's reasonable costs and counsel fees.

(b) The issue of a new certificate under an order of the court as provided in this section shall not relieve the corporation from liability in damages to a person to whom the original certificate has been or shall be transferred for value without notice of the proceedings or of the issuance of the new certificate.

(c) The foregoing provisions for the issuance of a new certificate for shares and the rights, remedies and reliefs as hereinabove provided in this section shall be cumulative and alternative to those provide by Section 5.12 (Lost or Destroyed Certificates).

SECTION 7.22. Cases Not Provided for in Chapter.

In any case not provided for by this chapter the rules of law and equity including the law merchant, and in particular the rules relating to the law of principal and agent, executors, administrators and trustees and to the effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy or other invalidating cause shall govern.

SECTION 7.23. Interpretation.

This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of this State with that of other states which enact substantially identical legislation.

SECTION 7.24. Chapter Not Applicable to Certain Certificates.

The provisions of this chapter apply only to certificates issued after the third day of May, 1945.

SECTION 7.25. Title of Chapter.

This chapter may be cited as the Uniform Stock Transfer Act.

Chapter 8. DIRECTORS AND OFFICERS**SECTION 8.1. Board of Directors.**

Subject to any provisions permitted by this Act to be contained in the articles of incorporation, the by-laws, or agreements among shareholders, the business and affairs of a corporation shall be managed by a board of directors.

SECTION 8.2. Qualification of Directors.

Unless the articles of incorporation or the by-laws so require, the directors need not be residents of this State or shareholders of the corporation. The articles of incorporation or by-laws may prescribe other qualifications for directors.

SECTION 8.3. Number of Directors.

(a) The number of directors of a corporation shall be not less than three, except that if all shares of a corporation are owned beneficially and of record by fewer than three shareholders, the number of directors may be less than three but not less than the number of shareholders. The articles of incorporation shall fix the number of directors comprising the initial board of directors. The number so stated in the articles shall constitute the authorized number of directors unless and until changed as provided in subsection (b).

(b) The number of directors may be increased or decreased only by (1) amendment of the articles of incorporation, (2) a by-law duly adopted by the shareholders, or (3) action of the board of directors pursuant to a by-law duly adopted by the shareholders. The foregoing action may be taken at a meeting of the shareholders called for the purpose of electing directors, provided that notice of such proposed action has been given to the shareholders.

(c) No decrease in the number of directors shall have the effect of shortening the term of any incumbent director.

SECTION 8.4. Election and Term of Directors.

(a) Each director shall hold office until the expiration of the term for which he is elected, and until his successor shall have been elected and qualified, or until his earlier resignation, removal from office, death or incapacity.

(b) The members of the initial board of directors shall hold office until the first annual meeting of the shareholders and until their successors shall have been elected and qualified.

(c) At the first annual meeting of shareholders, and at each annual meeting thereafter, the shareholders shall elect directors to hold office until the next succeeding annual meeting, except when directors are classified as permitted by Section 8.5 (Classification of Directors).

SECTION 8.5. Classification of Directors.

(a) When the board of directors shall consist of nine or more members, in lieu of electing the whole number of directors annually, the articles of incorporation may provide that the directors be divided into either two or three classes, each class to be as nearly equal in number as possible. The term of office of directors of the first class shall expire at the first annual meeting of shareholders after their election, that of the second class shall expire at the second annual meeting after their election, and that of the third class, if any, shall expire at the third annual meeting after their election. At each annual meeting after such classification the number of directors equal to the number of the class whose term expires at the time of such meeting shall be elected to hold office until the second succeeding annual meeting, if there be two classes, or until the third succeeding annual meeting, if there be three classes. No classification of directors shall be effective prior to the first annual meeting of shareholders.

(b) Where a corporation is authorized to issue more than one class of shares, the articles of incorporation may confer upon the holders of one or more specified classes of shares the right to elect the directors as a whole, or any specified number of them, or the directors of any class or classes established by the articles of incorporation, other than a classification by term of office as provided in subsection (a).

SECTION 8.6. Vacancies in the Board of Directors.

(a) Unless the articles of incorporation or the by-laws otherwise provide, any vacancy, however occurring, in the board of directors may be filled by a majority of the remaining directors even though less than a quorum or by a sole remaining director. Any vacancy created by an increase in the number of directors shall be filled only by election at an annual meeting or a special meeting of shareholders called for that purpose. If a vacancy occurs with respect to a director elected by the votes of a particular class of shares, the vacancy shall be filled by the remaining director or directors elected by that class, or by the shareholders of that class.

(b) Any director elected to fill any vacancy shall be elected for the unexpired term of his predecessor.

(c) A director who resigns may postpone the effectiveness of his resignation to a future date or upon the occurrence of a future event specified in a written tender of resignation. A vacancy shall be deemed to exist at the time of such tender, and the board of directors or the shareholders may, then or thereafter, elect a successor to take office when the resignation, by its terms, becomes effective.

SECTION 8.7. Removal of Directors.

(a) The entire board of directors or any individual director may be removed, with or without cause, by a vote of the holders of a majority of the shares then entitled to vote at an election of directors.

(b) The removal of directors, with or without cause, shall be always subject to the following:

(1) Whenever a class of shares is entitled to elect one or more directors under authority granted by the articles of incorporation, any director so elected may be removed only by vote of the holders of the outstanding shares of that class voting as a class.

(2) No director who has been elected by cumulative voting may be removed if the votes cast against his removal would be

sufficient to elect him if then cumulatively voted at an election of the entire board of directors, or, if there be classes of directors, at an election of the class of directors of which he is a part.

(c) If any or all directors are removed, new directors may be elected at the same meeting.

(d) The court of the county where the registered office is located may, at the suit of shareholders holding at least 5% of the number of outstanding shares with or without voting rights, remove from office any director in case of fraudulent or dishonest acts, or gross abuse of authority or discretion in discharge of his duties to the corporation; and may bar from reelection any director so removed for a period prescribed by the court. The corporation shall be made a party to any such action.

SECTION 8.8. Time and Place of Meetings of Directors.

(a) Unless the by-laws otherwise provide, meetings of the board of directors, regular or special, may be held at any place either within or without this State.

(b) The time and place for holding meetings of the directors may be fixed by the by-laws or, if not so fixed, by the directors.

SECTION 8.9. Notice of Meetings of Directors; Persons Who May Call Meetings.

(a) Unless otherwise provided by the by-laws, regular meetings of the board of directors may be held without notice if the time and place of the meetings are fixed by the by-laws or by the board.

(b) Special meetings of the board of directors shall be held upon such notice as the by-laws shall prescribe, or in the absence of any such provision, upon notice sent by any usual means of communication not less than four business days before the meeting.

(c) Notice of a meeting of directors need not be given to any director who signs a waiver of notice, either before or after the meeting. Attendance of a director at a meeting without protesting prior to its conclusion the lack of or defect in notice of such meeting, shall of itself constitute a waiver of notice of such meeting, except where a director attends a meeting solely for the purpose of stating his objection, at the beginning of the meeting, to the transaction of any business on the ground that the meeting is not lawfully called or convened.

(d) Subject to the provisions of the by-laws, notice of adjournment of a meeting need not be given if the time and place to which it is adjourned are fixed and announced at such meeting.

(e) Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board of directors need be specified in the notice or waiver of notice.

(f) Meetings of the directors may be called by the chairman of the board, the president, or if he is absent or is unable or refuses to act, by any vice-president, by any two directors, or by any other person or persons authorized by the by-laws.

SECTION 8.10. Quorum and Vote of Directors.

(a) A majority of the total number of directors then in office shall constitute a quorum for the transaction of business, unless a greater proportion is required for a quorum by the articles of incorporation or by the by-laws.

(b) The vote of a majority of the directors present at a meeting at which a quorum is present shall be the act of the board of directors, unless the vote of a greater proportion is required by the articles of incorporation or the by-laws.

SECTION 8.11. Executive and Other Committees.

(a) If the articles of incorporation or the by-laws so provide, the board of directors, by a resolution adopted by a majority of the full board of directors, may designate from among its members an executive committee and other committees, each consisting of three or more directors, and may delegate to such committee or committees all the authority of the board of directors, except that no such committee or committees shall have and exercise the authority of the board of directors to:

- (1) Amend the articles of incorporation;
- (2) Adopt a plan of merger or consolidation;
- (3) Recommend to the shareholders the sale or disposition of all or substantially all of the property and assets of the corporation other than in the usual course of its business;
- (4) Recommend to the shareholders a voluntary dissolution of the corporation or revocation of such dissolution;
- (5) Declare dividends or other corporate distributions.

(b) The designation of any such committee and the delegation to it of authority shall not relieve the board of directors, or any member thereof, of any responsibility imposed by law.

(c) So far as applicable, the provisions of this chapter relating to the conduct of meetings of the board of directors, shall govern meetings of the executive or other committees.

SECTION 8.12. Informal or Irregular Action by Directors.

(a) Action taken by a majority of the directors or members of a committee of directors without a meeting shall be valid if

(1) Written consent to the action taken is executed, either before or after the action so taken, by all of the directors or committee members and is filed with the minutes of the proceedings of the board or committee, or

(2) All shareholders have actual knowledge of the action taken, and no shareholder makes prompt objection thereto.

(b) If a meeting otherwise valid of the board of directors or of any committee is held without call or notice where such is required, any action taken at such meeting shall be deemed ratified by a director or committee member who did not attend, unless after learning of the action taken and of the impropriety of the meeting, he makes prompt objection thereto.

(c) Objection by a shareholder, director, or committee member shall be effective only if written objection to the holding of the meeting or to any specific action so taken is filed with the Secretary of the corporation.

SECTION 8.13. Election, Qualifications and Powers of Officers.

(a) The officers of a corporation shall consist of a president, one or more vice-presidents if the by-laws so provide, a secretary, and a treasurer.

(b) The officers shall be elected by the board of directors or, if the articles of incorporation expressly provide, by the shareholders, and shall hold their offices until their successors are chosen and have qualified.

(c) Qualification of officers, if any, and the term and manner of their election may be prescribed in the by-laws; but officers shall be elected annually unless otherwise provided.

(d) Such other officers and assistant officers and agents as may be deemed necessary may be elected or appointed by the board of directors or chosen in such other manner as may be prescribed in the by-laws.

(e) Any two or more offices may be held by the same person, but no officer may act in more than one capacity where action by two or more officers is required.

(f) All officers and agents of the corporation, as between themselves and the corporation, shall have such authority and perform such duties as may be provided in the by-laws or by action of the board of directors, not inconsistent with the by-laws;

(g) Unless otherwise provided by the by-laws, the president shall have authority to institute or defend legal proceedings whenever the directors or shareholders are deadlocked.

(h) If the by-laws so provide, the treasurer or any person performing his duties, may be required to give bond in such sum and with such sureties as may be specified by the by-laws for the faithful discharge of his duty.

SECTION 8.14. Vacancies in Office; Removal of Officers.

(a) Any officer or agent elected or appointed by the board of directors may be removed by the board of directors or by the executive committee whenever in its judgment the best interests of the corporation will be served thereby.

(b) Any officer or agent elected by the shareholders may be removed only by vote of the shareholders, unless the shareholders shall have authorized the directors to remove such officer or agent.

(c) Any vacancy, however occurring, in any office may be filled by the directors, unless the articles of incorporation shall have specifically reserved such power to the shareholders.

(d) Removal from office, however effected, shall not prejudice the contract rights, if any, of the officer removed, nor shall election or appointment of an officer or agent of itself create contract rights.

SECTION 8.15. Duty of Directors and Officers.

The directors and officers of a corporation shall exercise their powers and discharge their duties in good faith with a view to the interests of the corporation and with that degree of diligence, care and skill which ordinarily prudent men would exercise under similar circumstances in like positions.

SECTION 8.16. Transactions Between Corporations and Directors and Officers.

(a) No transaction in which a director or officer has a personal or adverse interest, as defined in subsection (b), shall be void or voidable solely for this reason or solely because he is present at or participates in the meeting or his vote is counted, if

(1) The material facts as to his interest and as to the transaction are disclosed or are known to the board of directors or committee, and are noted in the minutes, and the board or committee authorizes, approves or ratifies the transaction by a vote sufficient for such purpose without counting the vote of the interested director or directors; or if

(2) The material facts as to his interest and as to the transaction are disclosed or known to the shareholders and the transaction is specifically approved by vote of the shareholders without counting the votes of any shares owned or controlled by the interested director or officer; or if

(3) The transaction is fair and equitable as to the corporation at the time it is authorized or approved, and the party asserting the fairness of the transaction establishes fairness.

(b) A transaction in which a director or officer has a personal or adverse interest shall include,

(1) A contract or any other transaction between the corporation and one or more of its directors or officers;

(2) A contract or any other transaction between a corporation and any of its parent, subsidiary, or affiliated corporations;

(3) A contract or any other transaction between a corporation and any corporation, partnership, or association in which one or more of its directors or officers are directors or officers or have a financial interest, direct or indirect.

(c) Common or interested directors may always be counted in determining the presence of a quorum at a meeting of the board of directors or of a committee which authorizes, approves, or ratifies a transaction. Shares owned by any interested party may be counted in determining whether a quorum of shares is present at a meeting of shareholders which ratifies or approves a transaction.

(d) Except to the extent that the articles of incorporation or by-laws otherwise provide, the board of directors or the executive committee shall have authority to fix the compensation of directors for their services as directors, officers, or in any other capacity.

SECTION 8.17. Loans to Directors, Officers, and Shareholders.

(a) A corporation shall not directly or indirectly make any loan of money or property to, or guarantee the obligation of, (1) any director or officer or nominee of a director or officer of the corporation or of an affiliated, parent, or subsidiary corporation, or (2) any person or his nominee upon the security of the shares of the corporation or of an affiliated, parent or subsidiary corporation, except as provided by subsection (b).

(b) Such loan or guarantee may be made if it is approved by the vote or the written consent (1) of the holder or holders of all shares of the corporation, or (2) of the holders of at least two-thirds of the shares of all classes, whether voting or non-voting shares, excluding

any shares held by the director, officer, or shareholder to be benefited by any such loan or guarantee, or by his nominee or any person under his control. No such loan or guarantee shall be made except upon adequate security at the rate of interest then prevailing for loans of like character.

(c) If any loan or guarantee is made in violation of subsection (a), the directors who authorized or assented thereto shall be liable therefor as provided in Section 8.19 (Liability of Directors in Certain Cases).

(d) A sale on credit in the ordinary course of business is not a loan within the meaning of this section.

(e) The provisions of this section do not apply to banks, building and loan associations, industrial loan companies, credit unions or insurance companies; or to loans permitted under any statute regulating any special class of corporations.

SECTION 8.18. Right of Indemnity of Directors, Officers, and Others.

(a) Any present or former director, officer or employee of the corporation, or any person who, at the request of the corporation, may have served as a director or officer of another corporation in which it owns shares or of which it is a creditor, shall be entitled to reimbursement of expenses and other liabilities, to the extent provided by this section, in any action or proceeding to which he is a party by reason of being or of having been a director, officer, or employee.

(b) Indemnity shall be granted, and the amount thereof fixed by order of court entered in the action or proceeding to which the person is a party or in a separate proceeding. The court may permit or direct reimbursement for:

(1) Expenses, including attorney's fees, actually and reasonably incurred by the person sued in his defense of any such action, if

(A) he is successful in whole or in part on the merits or the proceeding to which he is a party is settled with the approval of the court, and the court finds that the person sued has not been guilty of negligence or misconduct in the performance of his duty to the corporation, or

(B) notwithstanding the foregoing limitations, the court finds that the person sued fairly and equitably merits indemnification.

(2) Any amount paid by the person sued in discharge of a judgment against him or paid by him in a settlement approved by the court, if the court finds that indemnification of such amounts would be fair and equitable.

(c) Application for indemnity under this section may be made either by the person sued or by his attorney or other person rendering services to him in connection with his defense. The court may, in its discretion, order fees and expenses to be paid directly to the attorney or other person although such attorney or other person is not a party to the proceeding. Notice of the application for such indemnity shall be served upon the corporation (or its trustee or receiver, as the case may be), and upon the other parties to the proceeding in respect of which indemnity is sought, and the court may if it deems it necessary, also order appropriate notice to be given to shareholders.

(d) The rights and remedy provided by this section shall be exclusive. Any provision of the articles of incorporation, by-laws, or resolution of the corporation or its directors or shareholders, purporting to extend or limit such rights and remedy, shall be invalid.

(e) The right of indemnity shall inure to the estate, executor, administrator, heirs, legatees, or devisees of any person entitled to indemnification hereunder.

SECTION 8.19. Liability of Directors in Certain Cases.

(a) The liabilities imposed by this section shall be in addition to any other liabilities imposed by law upon directors of a corporation.

(b) Directors of a corporation who vote for or assent to:

(1) The declaration of any dividends or other distribution of the assets of a corporation to its shareholders contrary to any provisions of this Act or of the articles of incorporation, shall be jointly and severally liable for the amount of such dividend which is paid, or for the value of such assets which are distributed, in excess of the amount which could have been paid or distributed without violating the provisions of this Act or of the articles;

(2) The purchase or redemption of its own shares contrary to the provisions of this Act, shall be jointly and severally liable for the amount of consideration paid for such shares which is in excess of the maximum amount which could have been paid therefor without a violation of the provisions of this Act;

(3) The distribution of assets of a corporation to its shareholders during the liquidation of the corporation without the payment and discharge of, or without making adequate provision for, all known or reasonably ascertainable debts, obligations, and liabilities of the corporation, shall be jointly and severally liable for the value of such assets which are distributed, to the extent that such debts, obligations and liabilities of the corporation are not thereafter paid and discharged.

(4) The liability imposed by this subsection may be enforced:

(A) By the corporation, or by any shareholder suing derivatively;

(B) By the receiver, liquidator, or trustee in bankruptcy of the corporation; and

(C) Except where the corporation's properties are being administered in liquidation, or for the benefit of creditors under the supervision of any court, by any of the corporation's creditors damaged by a violation of this subsection. Such creditor may in the same action in which he sues the corporation join one or more of the directors liable under this subsection, and enforce such liability of the directors to the extent necessary to satisfy his claim against the corporation; or he may obtain a judgment against the corporation, and thereafter in a separate action enforce the liability of any director.

(5) A director shall not be liable under this subsection if:

(A) He relied and acted reasonably and in good faith upon financial statements of the corporation which were either (I) certified in writing by an independent public or certified public accountant or firm of such accountants fairly to reflect the corporation's financial condition, or (II) reported to him to be correct by the president or by the officer of such corporation having charge of its books of accounts; or if

(B) He considered reasonably and in good faith that the assets were of their book value, in determining the amount available for any such dividend or distribution.

(6) A director who is held liable upon and pays a claim asserted against him pursuant to any provision of this subsection, shall be entitled to contribution from any shareholders who accept any dividend, distribution of assets or consideration on redemption or repurchase of their shares, knowing such divi-

dend or distribution or consideration to have been made or paid in violation of this section, in proportion to the amounts received by them respectively. Such contributing shareholders as among themselves shall also be entitled to contribution in proportion to the amounts received by them respectively.

(c) The directors of a corporation who vote for or assent to the making of any loan or guaranty or other form of security in violation of Section 8.17 (Loans to Directors, Officers, and Shareholders) of this Act, shall be jointly and severally liable for the amount of such loan until the repayment thereof (together with interest thereon at the rate of 6% per year until paid), or for any liability of the corporation upon the guaranty. Such liability may be enforced by the corporation or by any shareholder suing derivatively, or by the corporation's receiver, liquidator, or trustee in bankruptcy.

(d) Any director against whom a claim shall be asserted under or pursuant to any provision of this Act shall be entitled to contribution from the other directors who voted for or assented to the action upon which the claim is asserted, and in any action against him shall on motion be entitled to have such other directors made parties defendant.

(e) A director who is present at a meeting of the directors or a committee thereof at which action on any corporate matter is authorized or taken, shall be presumed to have assented to the action taken, unless his contrary vote shall be entered in the minutes of the meeting or unless his written dissent to such action shall be filed either during the meeting or within a reasonable time after the adjournment thereof, with the person acting as secretary of the meeting or with the secretary of the corporation. Such right to dissent shall not apply to a director who voted in favor of such action.

Chapter 9. AMENDMENTS OF ARTICLES OF INCORPORATION

SECTION 9.1. Right to Amend Articles of Incorporation.

(a) A corporation may amend its articles of incorporation, from time to time, in any and as many respects as may be desired if such amendment, at the time it is made, contains only such provisions as might then lawfully be contained in the original articles of incorporation.

(b) In particular, and without limitation upon the general power of amendment granted by subsection (a) of this section, a corporation may amend its articles of incorporation so as:

(1) To change its corporate name, subject to the provisions of Section 3.1 (Corporate Name).

(2) To enlarge, limit, or otherwise change the business for which the corporation is organized.

(3) To extend the duration of the corporation, or if the corporation has ceased to exist because the duration specified in its articles of incorporation has expired, to revive its existence.

(4) To increase or decrease the aggregate shares, or shares of any class, which the corporation is authorized to issue.

(5) To increase or decrease the par value of the authorized shares of any class having a par value, whether issued or unissued.

(6) To change the designation of all or any part of its shares, whether issued or unissued, and to change the preferences, limitations, and relative rights in respect of all or any part of its shares, whether issued or unissued.

(7) To change shares having a par value, whether issued or unissued, into the same or a different number of shares without par value; and to change shares without par value, whether issued or unissued, into the same or a different number of shares having par value.

(8) To change the shares of any class, whether issued or unissued, whether with or without par value, into a different number of shares of the same class or into the same or different number of shares, either with or without par value, of other classes.

(9) To authorize new classes of shares having rights and preferences either prior or subordinate to the shares of any class then authorized, whether issued or unissued.

(10) To cancel or otherwise affect the right of holders of shares of any class to receive dividends which have accrued but have not been declared.

(11) To divide any preferred or special classes of shares, whether issued or unissued, into series and fix and determine the designations of such series and the variations in the relative rights and preferences as between the shares of such series.

(12) To authorize the board of directors to establish, out of authorized but unissued shares, series of any preferred or spe-

cial class of shares and to fix and determine the relative rights and preferences of the shares of any series so authorized; and to revoke, enlarge, or diminish such authority of the board.

(13) To authorize the board of directors to fix and determine the relative rights and preferences of the authorized but unissued shares of series previously established in respect of which either the relative rights or preferences have not been fixed and determined or the relative rights and preferences previously fixed and determined are to be changed; and to revoke, diminish or enlarge such authority of the board of directors.

(14) To exchange, classify, re-classify or cancel all or any part of the shares, whether issued or unissued.

(15) To add, change, or strike out any provision, not inconsistent with this Act or with law, relating to the business of the corporation, its affairs, its rights or powers, or the rights or powers of its shareholders, directors or officers, including any provision which is required or permitted to be set forth in the by-laws or in any agreement.

(c) The charter or articles of any corporation organized under any prior general corporation act of this State or any special statute may be amended in accordance with the provisions of this chapter.

SECTION 9.2. Amendment of Articles of Incorporation Before Organizational Meeting.

Prior to holding the organizational meeting required by Section 4.7 (Organizational Meeting of Directors), the articles of incorporation may be amended by the incorporator or if more than one incorporator, then by two-thirds of the incorporators, with the consent in writing of all subscribers, if any, for shares of the corporation. If any such amendment effects a material change in the articles of incorporation, non-assenting subscribers for shares may rescind their subscriptions without liability.

SECTION 9.3. Certain Amendments by Directors of the Articles of Incorporation.

The directors may, unless otherwise provided by the articles of incorporation, amend the articles with respect to the registered office or the registered agent of the corporation by following the procedure specified in Section 3.5 (Change of Registered Office or Registered Agent).

SECTION 9.4. Amendment of Articles by Shareholders.

(a) All amendments to the articles of incorporation, except those otherwise permitted to be made as provided by Section 9.2 (Amendments of Articles of Incorporation Before Organizational Meeting) and 9.3 (Certain Amendments by Directors of the Articles of Incorporation), shall be made by action of the directors and shareholders in accordance with the following procedure:

(1) The board of directors shall adopt a resolution setting forth the proposed amendment and directing that it be submitted to a vote at an annual or special meeting of the shareholders.

(2) Written or printed notice setting forth the proposed amendment or a summary of changes to be effected thereby shall be given to each shareholder of record entitled to vote thereon in accordance with the provisions of this Act relating to the giving of notice of meetings of shareholders.

(3) At such meeting a vote of the shareholders entitled to vote thereon shall be taken on the proposed amendment. The proposed amendment shall be adopted upon receiving the affirmative vote of the holders of at least two-thirds of all shares entitled to vote thereon. If any class of shares is entitled to vote thereon as a class, the proposed amendment shall be adopted only if, in addition to receiving an affirmative vote of at least two-thirds of all shares entitled to vote thereon, it also receives the affirmative vote of the holders of at least two-thirds of the shares of each class entitled to vote thereon as a class.

(4) Upon adoption, articles of amendment shall be executed, verified, and delivered for filing as provided in Sections 1.4-1.6.

(b) Any number of amendments may be submitted to the shareholders and voted upon by them at one meeting.

(c) The articles of incorporation may contain a provision prescribing for amendment of the articles a vote greater than, but in no event less than, that prescribed by subsection (a) of this section. Such provision

(1) May require a unanimous or less than unanimous vote;

(2) May prescribe such greater vote for all amendments, or for any particular amendment, or for any specified category of amendments;

(3) May confer such greater vote upon all shares, or upon any class of shares, or upon both;

(4) Shall not be altered, modified, or removed except by the same vote which such provision requires for amending the articles.

(d) If the holders of at least ten per cent of any class of shares of the corporation propose an amendment, the board of directors shall submit the proposed amendment to the shareholders at a special or annual meeting.

(e) Any amendment to the articles of incorporation submitted to the shareholders may be accepted or rejected by them.

(f) The articles of incorporation may be amended by written consent of all shareholders entitled to vote on such amendment, as provided by subsection (b) of Section 6.18 (Informal or Irregular Action by Shareholders).

SECTION 9.5. Class Voting on Amendments.

The holders of the outstanding shares of any class shall be entitled to vote as a class upon a proposed amendment, notwithstanding any contrary provision of the articles of incorporation, if the amendment would:

(a) Increase or decrease the aggregate number of authorized shares of such class.

(b) Increase or decrease the par value of the shares of such class.

(c) Effect an exchange, or create a right of exchange, of all or any part of the shares of another class into the shares of such class.

(d) Change the designations, preferences, limitations or relative rights of the shares of such class, including but not limited to, the following:

(1) Cancel or otherwise effect their rights to accrued dividends;

(2) Reduce the dividend preference thereof;

(3) Make non-cumulative, in whole or in part, dividends which had theretofore been cumulative;

(4) Reduce the redemption price thereof or make shares subject to redemption when they are not otherwise redeemable;

(5) Reduce any preferential amount payable thereon upon voluntary or involuntary liquidation;

(6) Eliminate, diminish or alter adversely conversion rights pertaining thereto;

(7) Eliminate, diminish, or alter adversely voting rights pertaining thereto, either directly or by increasing the relative voting rights per share of the shares of another class;

(8) Diminish or alter adversely any rights of the holders thereof to purchase other shares of the corporation;

(9) Change adversely any sinking fund provision relating thereto.

(e) Change the shares of such class into the same or a different number of shares of the same or another class or classes.

(f) Create a new class of shares having rights and preferences prior and superior to the rights of such class, or increase rights and preferences of any class having rights and preferences prior or superior to the shares of such classes.

(g) Divide the shares of such class into series and fix and determine the designation of such series and the variations of the relative rights and preferences as between the shares of such series, or authorize the board of directors to do so.

(h) Limit or deny any pre-emptive rights of the shares of such class.

SECTION 9.6. Contents of Articles of Amendment.

(a) Any amendment of the articles of incorporation shall be set forth in a document entitled "Articles of Amendment" which shall state the following:

- (1) The name of the corporation;
- (2) The amendment adopted;
- (3) The date of adoption of the amendment; and
- (4) Whichever of the following is relevant:

(A) If the amendment was adopted by the incorporators pursuant to Section 9.2 (Amendment of Articles of Incorporation Before Organizational Meeting), the number and vote of the incorporators, the consent of the subscribers to such amendment, and the fact of withdrawal of any subscribers, if such is the case.

(B) If the amendment was adopted by the shareholders pursuant to Section 9.4 (Amendment of Articles by Shareholders), then the following:

(I) The number of shares outstanding and the number of shares entitled to vote on such amendment, and if the shares of any class are entitled to vote thereon as a class, the designation and number of outstanding shares of each class entitled to vote thereon;

(II) The number of shares voted for and against such amendment, respectively; and, if the shares of any class are

entitled to vote thereon as a class, the number of shares of each such class voted for and against such amendment respectively;

(5) If such amendments provide for exchange, reclassification or cancellation of issued shares, and if the manner in which this shall be effected is not set forth in the amendment, a statement of the manner in which the same shall be effected.

(6) If such amendment effects a change in the amount of stated capital, then a statement of the manner in which the same is effected and a statement, expressed in dollars, of the amount of stated capital as changed by the amendment.

(b) All articles of amendment shall be executed, verified, and filed as provided by Sections 1.4-1.6, except that (1), if the amendment is made by the incorporator or incorporators as provided by Section 9.2 (Amendment of Articles of Incorporation Before Organizational Meeting), the articles of amendment shall be executed by the incorporator or incorporators, and (2) if the amendment is made by the directors as provided by Section 9.3 (Certain Amendments by Directors of the Articles of Incorporation), the articles of amendment shall be executed by the chairman of the board of directors or by a director.

SECTION 9.7. Effect of Amendment.

(a) An amendment shall take effect as of the date of filing the articles of amendment with the Secretary of State as provided by Section 1.6 (Delivery of Documents for Filing) of this Act.

(b) No amendment shall prejudice any claims of creditors or relieve the corporation of any liability already created or assumed, or effect any existing cause of action in favor of the corporation, or any pending suit to which the corporation shall be a party, or the existing rights of persons other than shareholders, but for all such purposes the corporation, although operating under the amended articles of incorporation, shall be regarded as the same corporation. In the event the corporate name shall be changed by amendment, no suit brought by or against such corporation under its former name shall abate because of the change of name.

SECTION 9.8. Restated Articles of Incorporation.

(a) A corporation may execute, verify, and file, in accordance with Sections 1.4-1.6, a "Restated Articles of Incorporation" which shall integrate into a single document the text of its original articles

of incorporation, merger, or consolidation, together with all amendments theretofore adopted and, if so authorized, further amendments.

(1) If the restated articles restate the text of the original articles as theretofore amended and supplemented, without making any further amendment or change, the restated articles may be adopted by the board of directors without a vote of the shareholders. The restated articles shall recite that it purports merely to restate but not to change the provisions of the original articles as theretofore amended and supplemented, and that there is no discrepancy between such provisions and the provisions of the restated articles.

(2) The board of directors may, without vote of the shareholders, restate the text of the original articles as provided by the foregoing subparagraph and may also include any amendment which, under Section 9.3 (Certain Amendments by Directors of the Articles of Incorporation), may be adopted by the directors without vote of the shareholders. The restated articles shall recite that, except for such amendments by the directors which shall be identified as such, it purports merely to restate but not to change the provisions of the original articles as theretofore amended and supplemented, and that there is no discrepancy between such provisions and the provisions of the restated articles.

(3) A corporation may restate its articles of incorporation by submitting to the shareholders for their approval the proposed restatement thereof, with or without any amendments which under Section 9.4 (Amendment of Articles by Shareholders) or under the articles of incorporation require the vote of the shareholders. The procedure specified in and the vote or votes required by this Chapter for amendment of the articles of incorporation shall be applicable.

(b) The restated articles shall be specifically designated as such, and shall set forth the manner in which the restatement was authorized. Upon filing the restated articles with the Secretary of State, the original articles of incorporation as amended and supplemented shall be superseded, and the restated articles, including any further amendments and changes made thereby, shall be the articles of incorporation of the corporation.

(c) Any amendment or change effected in connection with the restatement of the articles of incorporation shall be subject to any

other provision of this chapter, not inconsistent with this section, which would apply if separate articles of amendment were filed to effect such amendment or change.

(d) The restated articles may omit statements as to the incorporator or incorporators and the original subscribers for shares. The statement in the original articles regarding the then stated capital and the minimum consideration to be received before commencing business shall be retained, but the restated articles shall set forth the corporation's then stated capital if different from that stated in the original articles.

SECTION 9.9. Amendments, Mergers, and Other Changes in Connection with Reorganization Proceedings.

(a) A corporation, a plan of reorganization of which has been confirmed by the decree or order of a court of competent jurisdiction pursuant to any applicable statute of the United States relating to reorganization of corporations, may put into effect and carry out the plan and decrees and orders of the court relative thereto, and may take any proceedings and do any act provided in the plan or directed by such decrees and orders, without further action by its directors or shareholders. Such authority may be exercised, and such proceedings and acts may be taken, as directed by such decrees or orders, by the trustee or trustees of such corporation appointed in the reorganization proceedings, or if none have been appointed, by any person or persons designated or appointed for the purpose by any such decree or order, with like effect as if exercised and taken by unanimous actions of the directors and shareholders of the corporation.

(b) Without limiting the generality of the foregoing authority, a corporation may amend its articles to:

(1) Change the name, period of duration, or business of the corporation;

(2) Change the aggregate number of shares, or shares of any class or series which the corporation has authority to issue;

(3) Change the preferences, limitations, and relative rights in respect of all or any of the shares of the corporation, and classify, re-classify or cancel all or any part of the shares of the corporation, whether issued or unissued, and make any other changes authorized by this Act;

(4) Authorize the issuance of bonds, debentures or other obligations, whether or not convertible into shares of any class

or bearing warrants or other evidences of optional rights to purchase or subscribe for the shares of any class, and fix the terms and conditions thereof;

(5) Constitute or re-constitute and classify or re-classify the board of directors of the corporation and appoint directors and officers in lieu of or in addition to all or any of the directors and officers then in office;

(6) Reduce capital, transfer all or part of its assets by sale, lease or other disposition, or merge or consolidate as permitted by this Act.

(c) Any amendment of the articles of incorporation shall contain only such provisions as might be lawfully contained in the original articles of incorporation at the time of making such amendment.

(d) Articles of amendment approved by decree or other order of such court shall be executed and verified by the trustee or trustees or other person or persons as provided by subsection (a), and shall certify that such amendment is authorized by the plan of reorganization or decree or the order of the court relative thereto, and that the plan has been confirmed as specified in the applicable Act of Congress with the title and venue of the proceeding and the date when the decree or order confirming the plan was made. Such articles of amendment shall be filed in accordance with Section 1.6 (Delivery of Documents for Filing) of this Act.

(e) Non-assenting or dissenting shareholders shall have only such rights as are provided for in the plan of reorganization.

(f) If, after the filing of any articles of amendment as provided by this section, the decree or order of confirmation of the plan or reorganization is reversed or vacated or the plan is modified, articles of amendment shall be executed and filed so as to conform to the plan of reorganization as finally confirmed or to the decree or order as finally made.

(g) The provisions of this section shall cease to apply to such corporation upon and after the entry of a final decree in the reorganization proceeding closing the case and discharging the trustee or trustees, if any.

Chapter 10. MERGERS AND CONSOLIDATIONS OF
CORPORATIONS**SECTION 10.1. Authority of Domestic Corporations to Merge;
Plan of Merger.**

(a) Any two or more domestic corporations may merge into one of such corporations (designated in this Act as the surviving corporation), pursuant to a plan of merger approved in the manner provided in this Act.

(b) The board of directors of each corporation shall, by resolution adopted by each such board, approve a plan of merger setting forth:

(1) The names of the corporations proposing to merge, and the name of the corporation into which they propose to merge.

(2) The terms and conditions of the proposed merger.

(3) The manner and basis of converting the shares of each merging corporation into shares or other securities or obligations of the surviving corporation.

(4) A statement of any changes in the articles of incorporation of the surviving corporation to be effected by such merger.

(5) Such other provisions with respect to the proposed merger as are deemed necessary or desirable.

SECTION 10.2. Authority of Domestic Corporations to Consolidate; Plan of Consolidation.

(a) Any two or more domestic corporations may consolidate into a new corporation pursuant to a plan of consolidation approved in the manner provided in this Act.

(b) The board of directors of each corporation shall, by a resolution adopted by each such board, approve a plan of consolidation setting forth:

(1) The names of the corporations proposing to consolidate, and the name of the new corporation into which they propose to consolidate.

(2) The terms and conditions of the proposed consolidation.

(3) The manner and basis of converting the shares of each corporation into shares or other securities or obligations of the new corporation.

(4) With respect to the new corporation, all of the statements required to be set forth in articles of incorporation for corporations organized under this Act.

(5) Such other provisions with respect to the proposed consolidation as are deemed necessary or desirable.

SECTION 10.3. Notice to and Approval by Shareholders of Merger or Consolidation.

(a) The board of directors of each corporation, upon approving such plan of merger or plan of consolidation, shall, by resolution, direct that the plan be submitted to a vote at a meeting of shareholders, which may be either an annual or a special meeting.

(b) Written or printed notice of the meeting shall be given to each shareholder of record entitled to vote at such meeting, not less than twenty days before such meeting, in the manner provided in this Act for the giving of notice of meetings of shareholders. The notice

(1) shall state the purpose of the meeting, whether the meeting be an annual or a special meeting;

(2) shall be accompanied by a copy of the plan of merger or consolidation, or an accurate outline of the material features of the plan;

(3) shall be accompanied (A) by balance sheets of each corporation participating in the merger or consolidation showing in reasonable detail the financial condition of each participating corporation as of the close of the three fiscal years next preceding the date of the plan of merger or consolidation, and (B) by profit and loss statements of each corporation for such periods; and

(4) shall contain a clear and concise statement, prominently displayed, that shareholders dissenting to the plan of merger or consolidation are entitled, upon compliance with Section 6.27 (Right of Dissenting Shareholders to Payment for Shares), to be paid the fair value of their shares.

(c) At each such meeting, a vote of the shareholders shall be taken on the proposed plan of merger or consolidation. Each outstanding share of each such corporation shall be entitled to vote on the proposed plan of merger or consolidation, whether or not such share has voting rights under the provisions of the articles of incorporation of such corporation. The plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least two-thirds of the outstanding shares of each such corporation, unless any class of shares of any such corporation is entitled to vote as a class thereon, in which event, as to such corporation, the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least two-thirds of the outstanding shares of each class of shares entitled to vote as a class thereon and of the total outstanding shares. Any class of shares of any such corporation shall be entitled to vote as a class if the

plan of merger or consolidation, as the case may be, contains any provision which, if contained in a proposed amendment to articles of incorporation, would entitle such class of shares to vote as a class.

(d) The articles of incorporation of any corporation may contain a provision prescribing for approval of a plan of merger or consolidation a vote greater than (but in no event lesser than) that prescribed by subsection (c) of this section. Such provision

- (1) may require a unanimous or less than unanimous vote;
- (2) may designate whether all, or any specified class of mergers or consolidations shall be subject to the prescribed vote;
- (3) may confer such vote upon all shares, or upon any class or series of shares, or upon both; and
- (4) shall be repealed, altered, or otherwise removed or modified only by the same vote which such provision requires for approving a plan of merger or consolidation, except that any such vote shall not be carried forward and made applicable to the surviving or consolidated corporation unless the plan of merger or consolidation specifically so provides.

SECTION 10.4. Articles of Merger or Consolidation.

When the merger or consolidation has been approved by the shareholders of the participating corporations, articles of merger or consolidation shall be executed and verified by each corporation as provided by Sections 1.4 (Execution of Documents) and 1.5 (Verification and Acknowledgment of Documents), and shall be delivered for filing as provided by Section 1.6 (Delivery of Documents for Filing). The articles of merger or consolidation shall set forth:

- (a) The plan of merger, or the plan of consolidation.
- (b) As to each participating corporation,
 - (1) The total number of shares outstanding, and the number of such shares voted for and against the plan; and
 - (2) If the shares of any class are entitled to vote as a class, the designation and number of the outstanding shares of each class, and the number of shares of each class voted for and against the plan.
- (c) The date when the merger or consolidation is to take effect, if such effective date is postponed to a date, not to exceed 60 days, subsequent to the filing date of the articles of merger or consolidation.

**SECTION 10.5. Merger of Subsidiary Corporation Into Parent:
Authority to Merge and Procedure Therefor.**

(a) Any corporation (in this Act termed the "parent corporation") owning at least ninety-five percent of the outstanding shares of each class of another corporation or corporations (in this Act termed the "subsidiary corporation") may merge the subsidiary corporation or corporations into itself without the approval by a vote of the shareholders of either corporation, by complying with the following procedure:

(1) The board of directors of the parent corporation shall, by resolution, approve a plan of merger setting forth:

(A) The name of the subsidiary corporation and the name of the parent corporation.

(B) The terms and conditions of the proposed merger.

(C) The manner and basis of converting the shares of the subsidiary corporation into shares or other securities or obligations of the parent corporation, or the cash or other consideration to be paid or delivered upon surrender of each share of the subsidiary corporation.

(D) The plan shall be accompanied by a clear and concise statement, prominently displayed, that shareholders of the subsidiary corporation dissenting to the plan of merger are entitled, upon compliance with Section 6.27 (Right of Dissenting Shareholders to Payment for Shares), to be paid the fair value of their shares.

(2) A copy of such plan of merger shall be mailed to each holder of record of any shares of the subsidiary corporation (other than shares held by the parent corporation), unless the giving of such notice has been waived in writing by such holders.

(3) On or after the thirtieth day after the mailing of a copy of the plan of merger to shareholders of the subsidiary corporation, or upon the waiver thereof by the holders of all outstanding shares, articles of merger shall be executed, verified, and delivered for filing, as provided by Sections 1.4-1.6, and shall set forth:

(A) The plan of merger;

(B) The number of outstanding shares of each class of the subsidiary corporation and the number of such shares of each class owned by the surviving corporation; and

(C) The date of the mailing to shareholders of the subsidiary corporation of a copy of the plan of merger.

(4) Holders of shares of the subsidiary corporation, other than shares held by the parent corporation, shall be entitled to dissent to a merger pursuant to this section, and upon complying with the provisions of Section 6.27 (Right of Dissenting Shareholders to Payment for Shares) to be paid the fair value of their shares. Holders of shares of the parent corporation dissenting to such merger shall not be entitled to payment under Section 6.27.

(b) Authority to merge under this section shall not bar any merger or consolidation under procedure authorized by any other provision of this chapter. Any plan of merger which requires or contemplates any changes other than those specifically authorized by this section shall be accomplished under the provisions of Section 10.1 (Authority of Domestic Corporations to Merge; Plan of Merger).

SECTION 10.6. Effect of Merger or Consolidation.

(a) The merger or consolidation shall be effected as of either (1) the filing date of the articles of merger or consolidation, or (2) a date, not to exceed 60 days subsequent to the filing date of the articles, when the merger or consolidation is to take effect.

(b) When such merger or consolidation has been effected:

(1) The several corporations parties to the plan of merger or consolidation shall be a single corporation, which, in the case of a merger, shall be that corporation designated in the plan of merger as the surviving corporation, and, in the case of a consolidation, shall be the new corporation provided for in the plan of consolidation.

(2) The separate existence of all corporations parties to the plan of merger or consolidation, except the surviving or new corporation, shall cease.

(3) Such surviving or new corporation shall have all the rights, privileges, immunities and powers and shall be subject to all the duties and liabilities of a corporation organized under this Act.

(4) Such surviving or new corporation shall thereupon and thereafter possess all the rights, privileges, immunities, and franchises, as well of a public as of a private nature, of each of the merging or consolidating corporations. All property, real, personal and mixed, and all debts due on whatever account, including subscriptions to shares, and all other choses in action, and all and every other interest, of or belonging to or due to each

of the corporations so merged or consolidated, shall be taken and deemed to be transferred to and vested in such single corporation without further act or deed. The title to any real estate, or any interest therein, vested in any of such corporations shall not revert or be in any way impaired by reason of such merger or consolidation.

(5) Such surviving or new corporation shall thenceforth be responsible and liable for all the liabilities and obligations of each of the corporations so merged or consolidated; and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted as if such merger or consolidation had not taken place, or such surviving or new corporation may be substituted in its place. Neither the rights of creditors nor any liens upon the property of any such corporation shall be impaired by such merger or consolidation.

(6) In the case of a merger, the articles of incorporation of the surviving corporation shall be deemed to be amended to the extent, if any, that changes in its articles of incorporation are stated in the plan of merger; and, in the case of a consolidation, the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporation of corporations organized under this Act shall be deemed to be the original articles of incorporation of the new corporation.

SECTION 10.7. Merger or Consolidation of Domestic and Foreign Corporations.

(a) One or more domestic corporations and one or more foreign corporations may

(1) merge into a single surviving corporation, domestic or foreign, or

(2) consolidate into a single new corporation, domestic or foreign, if such merger or consolidation is permitted by the laws of the jurisdiction under which each such foreign corporation is organized.

(b) One or more subsidiary corporations, whether foreign or domestic, may merge under the provisions of Section 10.5 (Merger of Subsidiary Corporation into Parent: Authority to Merge and Procedure Therefor) into the parent corporation, whether foreign or domestic, if

(1) Section 10.5 would apply except that the parent or a subsidiary corporation is a foreign corporation, and

(2) The laws of the jurisdiction under which each foreign participating corporation is organized permit such merger under substantially the same terms and conditions as Section 10.5.

(c) With respect to any proposed merger or consolidation authorized by subsections (a) and (b), each participating domestic corporation shall comply with the applicable provisions of this Act, and each foreign corporation shall comply with the applicable provisions of the laws of the jurisdiction under which it is organized.

(d) If the surviving or new corporation is or is to be a foreign corporation:

(1) It shall comply with the provisions of this Act with respect to foreign corporations if it is to do business in this State, and

(2) It shall, in every case, execute and deliver to the Secretary of State (as provided by Sections 1.4 Execution of Documents and 1.6 Delivery of Documents for Filing), a document setting forth:

(A) The name of the surviving or new corporation;

(B) An agreement that it will promptly pay to the dissenting shareholders of any participating domestic corporation the amount, if any, to which they are entitled under Section 6.27 (Rights of Dissenting Shareholders to Payment for Shares);

(C) An agreement that it may be served with process in this State in any proceeding (I) to enforce any obligation of a participating domestic corporation or any participating foreign corporation previously subject to suit in this State and (II) to enforce the right of dissenting shareholders of any participating domestic corporation against the surviving or new corporation;

(D) An irrevocable appointment of the Secretary of State as its agent to accept service of process in any such proceedings, and a post office address, within or without this State, to which the Secretary of State shall mail a copy of any process in such proceeding.

(e) If the surviving or consolidated corporation is or is to be a domestic corporation, the effect of such merger or consolidation shall be the same as in the case of the merger or consolidation of domestic corporations. If the surviving or new corporation is or is to be a for-

eign corporation, the effect of such merger or consolidation shall be the same as in the case of the merger or consolidation of domestic corporations except insofar as the laws of such other jurisdiction provide otherwise.

(f) Any merger or consolidation under this section shall take effect when the articles of merger or consolidation are filed with the Secretary of State, or within 60 days of the filing date, if the articles of merger or consolidation so provide.

SECTION 10.8. Authority to Abandon Merger or Consolidation.

Any plan of merger or consolidation may contain a provision that at any time prior to the filing of the articles of merger or consolidation, the plan may be abandoned by the board of directors of any participating corporation, notwithstanding approval by the shareholders of the participating corporations.

SECTION 10.9. Right of Shareholders to Dissent to Certain Mergers and Consolidations.

Any shareholder of a corporation, by complying with the provisions of Section 6.27 (Right of Dissenting Shareholders to Payment for Shares), shall have the right to dissent from any plan of merger or consolidation to which the corporation is a party, except that the rights of dissenting shareholders to receive payment for the fair value of their shares shall not be available to

(a) A shareholder of the surviving corporation in a merger of a subsidiary corporation into the parent corporation as authorized (1) by Section 10.5 (Merger of Subsidiary Corporation into Parent: Authority to Merge and Procedure Therefor) or (2) by subsection (b) of Section 10.7 (Merger or Consolidation of Domestic and Foreign Corporations), unless the surviving corporation is a foreign corporation and the laws of the jurisdiction of its incorporation grants to shareholders of such surviving corporation the right to receive payment for the fair value of their shares.

(b) A shareholder of the surviving corporation in a merger if such corporation is on the date of the filing of the articles of merger the owner of all the outstanding shares of the other corporations (foreign or domestic) which are parties to the merger.

Chapter 11. SALE AND OTHER DISPOSITION OF CORPORATE ASSETS**SECTION 11.1. Definition of "Sale".**

Whenever used in this chapter, the term "sale" shall include a sale, lease, exchange, or any other disposition of assets, except a mortgage of or other security interest in the assets.

SECTION 11.2. Sale of Assets in Regular Course of Business.

(a) The sale of all, or substantially all, the property and assets of a corporation, when made in the usual and regular course of the business of the corporation, may be made upon such terms and conditions and for such considerations, which may consist in whole or in part of money or property, real or personal, including shares of any other corporation, domestic or foreign, as shall be authorized by its board of directors.

(b) Except to the extent that the articles of incorporation otherwise provide, the consent or authorization of shareholders for such sale of corporate assets shall not be required.

(c) Whether or not a transaction by a corporation occurs within the usual and regular course of business shall be determined by the circumstances of the transaction, including the character of the business in which the corporation is engaged at the time of or immediately preceding the transaction. A sale of assets may be deemed to be in the regular course of its business if the corporation was incorporated for the purpose of liquidating such assets or property, or if the sale is a transaction or one of a series of transactions made in furtherance of the business of the corporation and not to terminate or dispose of its business.

SECTION 11.3. Sale of Assets Other Than in Regular Course of Business.

(a) A sale of all, or substantially all, the property and assets, with or without the good will, of a corporation, if not made in the usual and regular course of its business, may be made upon such terms and conditions and for such consideration, which may consist in whole or in part of money or property, real or personal, including shares of any other corporation, domestic or foreign, as shall be authorized in the following manner:

(1) The board of directors shall adopt a resolution recommending such sale, and directing the submission thereof to a vote at a meeting of shareholders, which may be either an annual or a special meeting.

(2) Written or printed notice shall be given to each shareholder of record entitled to vote at such meeting within the time and in the manner provided in this Act for the giving of notice of meetings of shareholders, and, whether the meeting be an annual or a special meeting, shall state that the purpose, or one of the purposes, of the meeting is to consider the proposed sale. Such notice shall also contain a clear and concise statement, prominently displayed, that shareholders dissenting to the disposition of assets are entitled, upon compliance with Section 6.27 (Right of Dissenting Shareholders to Payment for Shares), to be paid the fair value of their shares.

(3) At such meeting the shareholders may authorize such sale, and may fix, or may authorize the board of directors to fix, any or all of the terms and conditions thereof and the consideration to be received by the corporation therefor. Each outstanding share of the corporation shall be entitled to vote thereon, whether or not entitled to vote thereon by the provisions of the articles of incorporation. Such authorization shall require the affirmative vote of the holders of at least two-thirds of the outstanding shares of the corporation, unless any class of shares is entitled to vote as a class thereon, in which event such authorization shall require the affirmative vote of the holders of at least two-thirds of the outstanding shares of each class of shares entitled to vote as a class thereon and of the total outstanding shares.

(b) The articles of incorporation of any corporation may contain a provision prescribing for approval of any sale of assets a vote greater than, but in no event lesser than, that prescribed by subsection (a) of this section. Such provision:

(1) May require a unanimous or less than unanimous vote;

(2) May designate whether all, or any specified class of, sales or other dispositions shall be subject to the vote required by the articles;

(3) Shall be repealed, altered, or otherwise removed or modified only by the same vote which such provision requires for approving a sale of assets.

(c) After such authorization by a vote of shareholders, the board of directors nevertheless, in its discretion, may abandon such sale of assets, subject to the rights of third parties under any contracts relating thereto, without further action or approval by shareholders.

SECTION 11.4. Mortgage or Pledge of Assets of Corporation.

A mortgage or pledge of or other security interest in all or any part of the assets of a corporation, whether or not in the usual and regular course of its business, may be made by authority of the board of directors of the corporation without authorization of the shareholders, unless the articles of incorporation shall specifically so require.

SECTION 11.5. Right of Shareholders Dissenting to Certain Sales of Assets.

Any shareholder of a corporation, by complying with Section 6.27 (Right of Dissenting Shareholders to Payment for Shares), shall have the right to dissent from any sale of all or substantially all of the property and assets of the corporation, except when such sale is in the usual and regular course of its business, or when such sale is for cash and the shareholders' approval thereof is conditional upon the distribution of all or substantially all of the net proceeds of the sale to the shareholders in accordance with their respective interests within one year after the date of the sale.

Chapter 12. DISSOLUTION OF CORPORATIONS**SECTION 12.1. Voluntary Dissolution by Incorporators.**

A corporation which has not commenced business and which has not issued any shares, may be voluntarily dissolved by its incorporator or incorporators at any time after the filing date of its articles of incorporation, in the following manner:

(a) Articles of dissolution shall be executed and verified by the incorporators, and delivered for filing, as provided by Sections 1.4-1.6, and shall set forth:

- (1) The name of the corporation.
- (2) The filing date of its articles of incorporation.
- (3) That none of its shares has been issued.
- (4) That the corporation has not commenced business.
- (5) That the amount, if any, actually paid in on subscriptions for its shares, less any part thereof disbursed for necessary expenses, has been returned to those entitled thereto.
- (6) That no debts of the corporation remain unpaid.
- (7) That a majority of the incorporators elect that the corporation be dissolved.

(b) On the filing date of the articles of dissolution, the existence of the corporation shall cease.

SECTION 12.2. Voluntary Dissolution by Resolution of Directors and Shareholders.

(a) A corporation may be dissolved by resolution of the directors and shareholders when authorized in the following manner:

(1) The board of directors shall adopt a resolution recommending that the corporation be dissolved, and directing that the question of such dissolution be submitted to a vote at a meeting of the shareholders, which may be either an annual or a special meeting.

(2) If the directors fail or refuse to submit to the shareholders a proposal for dissolution by shareholders owning at least twenty per cent of all outstanding shares of the corporation, the shareholders proposing dissolution may call a meeting to consider such proposal.

(3) Written or printed notice shall be given to each shareholder of record entitled to vote at such meeting within the time and in the manner provided in this Act for the giving of notice of meetings of shareholders, and, whether the meeting be an annual or special meeting, shall state that the purpose, or one of the purposes, of such meeting is to consider the advisability of dissolving the corporation.

(4) At such meeting a vote of shareholders entitled to vote thereat shall be taken on a resolution to dissolve the corporation. Each outstanding share of the corporation shall be entitled to vote thereon, whether or not entitled to vote thereon by the provisions of the articles of incorporation. Unless the articles of incorporation shall require a greater vote, the resolution shall be adopted upon receiving the affirmative vote of the holders of at least two-thirds of the outstanding shares of the corporation, unless any class of shares is entitled to vote as a class thereon, in which event the resolution shall require for its adoption the affirmative vote of the holders of at least two-thirds of the outstanding shares of each class of shares entitled to vote as a class thereon, and of the total outstanding shares.

(5) Upon the adoption of such resolution, a statement of intent to dissolve shall be executed, verified, and delivered for filing, as provided by Sections 1.4-1.6, and shall set forth:

(A) The name of the corporation.

(B) The names and respective addresses of its officers.

(C) The names and respective addresses of its directors

(D) A copy of the resolution adopted by the shareholders authorizing the dissolution of the corporation.

(E) The number of shares outstanding, and, if the shares of any class are entitled to vote as a class, the designation and number of outstanding shares of each such class.

(F) The number of shares voted for and against the resolution, respectively, and, if the shares of any class are entitled to vote as a class, the number of shares of each such class voted for and against the resolution, respectively.

SECTION 12.3. Voluntary Dissolution by Written Consent of All Shareholders.

(a) A corporation may be voluntarily dissolved by written consent of all of its shareholders, whether or not entitled to vote, by the provisions of the articles of incorporation.

(b) Upon the execution of such written consent, a statement of intent to dissolve shall be executed, verified and delivered for filing, as provided by Sections 1.4-1.6, and shall set forth:

- (1) The name of the corporation.
- (2) The names and respective addresses of its officers.
- (3) The names and respective addresses of its directors.
- (4) A copy of the written consent signed by all shareholders of the corporation.
- (5) A statement that such written consent has been signed by all shareholders of the corporation or signed in their names by their duly authorized attorneys.

SECTION 12.4. Dissolution of Corporation by Expiration of Charter.

(a) If a corporation is limited to a period of duration specified by its articles of incorporation, and the corporate existence has not been extended or made perpetual by amendment of the articles or otherwise, a statement of intent to dissolve shall be executed, verified, and filed as provided by Sections 1.4-1.6 on or before the date upon which the corporate existence is due to expire.

(b) The statement of intent to dissolve shall set forth:

- (1) The name of the corporation.
- (2) The expiration date specified in the articles of incorporation, and that the duration of the corporate existence has not been extended or made perpetual by amendment of the articles or otherwise.

(3) The names and addresses of its officers and directors as of the date of executing the statement.

(c) At any time prior to the expiration date specified in the articles of incorporation, the directors of the corporation may amend the articles of incorporation to extend or to make perpetual the duration of the corporation. Such amendment, if filed after the filing of the statement of intent to dissolve but before the expiration date specified in the articles, shall automatically revoke the statement of intent to dissolve, and the corporation may carry on its business.

(d) At any time within one year after the expiration date specified in the articles of incorporation, one or more persons who were directors of the corporation as of the expiration date may execute, verify, and deliver for filing, as provided by Sections 1.4-1.6, an application for reinstatement of the corporation. The Secretary of State shall file the application upon receiving all fees and taxes which would have been payable during the period between expiration and reinstatement, together with a reinstatement fee.

As of the filing date of the application, the corporate existence shall be deemed to have continued without interruption from the expiration date, except that reinstatement shall have no effect upon any issue of personal liability of the directors, officers, or agents of the corporation during the period between the expiration date and reinstatement. If the name of the corporation has, during such period, been assumed or reserved or registered by any other person or corporation, the reinstated corporation shall not engage in business until it has amended its articles of incorporation to change its name.

SECTION 12.5. Effect of Statement of Intent to Dissolve Corporation.

Upon the filing by the Secretary of State of a statement of intent to dissolve, whether by resolution of directors and shareholders (as provided by Section 12.2) (Voluntary Dissolution by Resolution of Directors and Shareholders), by written consent of all shareholders (as provided by Section 12.3) (Voluntary Dissolution by written Consent of All Shareholders), or with respect to expiration of the charter (as provided by Section 12.4) (Dissolution of Corporation by Expiration of Charter), the corporation shall cease to carry on its business, except insofar as may be necessary or appropriate for the winding up thereof, but for such winding up its corporate existence shall continue until the filing date of the articles of dissolution, or until a decree dissolving the corporation has been entered by a court of competent jurisdiction.

SECTION 12.6. Procedure After Filing of Statement of Intent to Dissolve.

After the filing by the Secretary of State of a statement of intent to dissolve, as provided by Section 12.2 (Voluntary Dissolution by Resolution of Directors and Shareholders), Section 12.3 (Voluntary Dissolution by Written Consent of All Shareholders), and Section 12.4 (Dissolution of Corporation by Expiration of Charter) :

(a) The corporation shall carry on no business except for the purpose of winding up and liquidating its affairs.

(b) The corporation shall immediately cause notice of the filing of the statement of intent to dissolve to be mailed to each known creditor of the corporation and to the South Carolina Tax Commission. It shall also publish such notice in a newspaper published or having general circulation in the county in which the registered office of the corporation was located at the time of filing of the statement of intent to dissolve.

(c) The corporation shall fulfill or discharge its contracts, collect its assets, convey and dispose of such properties as are not to be distributed in kind to its shareholders, pay, satisfy and discharge its liabilities and obligations, and do all other acts required or appropriate to wind up and to liquidate its business and affairs, as expeditiously as practicable.

(d) After paying or adequately providing for the payment of all its obligations, the corporation shall distribute the remainder of its assets, either in cash or in kind, among its shareholders according to their respective rights and interests.

(e) The corporation, at any time during the liquidation of its business and affairs, may apply to the court of the county in which the registered office or principal place of business of the corporation is situated, to have the liquidation continued under the supervision of the court as provided in this Act.

SECTION 12.7. Revocation of Voluntary Dissolution Proceedings by Resolution of Directors and Shareholders.

By resolution of the directors and shareholders, a corporation may, at any time prior to the date of filing the articles of dissolution with the Secretary of State, revoke voluntary dissolution proceedings previously authorized, in the following manner :

(a) The board of directors shall adopt a resolution recommending that the voluntary dissolution proceedings be revoked, and directing

that the question of such revocation be submitted to a vote at a special meeting of shareholders.

(b) Written or printed notice, stating that the purpose or one of the purposes of such meeting is to consider the advisability of revoking the voluntary dissolution proceedings, shall be given to each shareholder of record entitled to vote at such meeting within the time and in the manner provided in this Act for the giving of notice of special meetings of shareholders.

(c) At such meeting a vote of the shareholders entitled to vote thereat shall be taken on a resolution to revoke the voluntary dissolution proceedings, which shall require for its adoption the affirmative vote of the holders of at least two-thirds of the outstanding shares.

(d) Upon the adoption of such resolution, a statement of revocation of voluntary dissolution proceedings shall be executed, verified, and delivered for filing as provided by Sections 1.4-1.6, and such statement shall set forth:

- (1) The name of the corporation.
- (2) The names and respective addresses of its officers.
- (3) The names and respective addresses of its directors.
- (4) A copy of the resolution adopted by the shareholders revoking the voluntary dissolution proceedings.
- (5) The number of shares outstanding.
- (6) The number of shares voted for and against the resolution, respectively.

SECTION 12.8. Revocation of Voluntary Dissolution Proceedings by Consent of All Stockholders.

(a) By the written consent of all of its shareholders, a corporation may, at any time prior to the date of filing the articles of dissolution with the Secretary of State, revoke voluntary dissolution proceedings previously authorized.

(b) Upon execution of such written consent, a statement of revocation of voluntary dissolution proceedings shall be executed, verified, and delivered for filing as provided by Sections 1.4-1.6, and such statement shall set forth:

- (1) The name of the corporation.
- (2) The names and respective addresses of its officers.
- (3) The names and respective addresses of its directors.
- (4) A copy of the written consent signed by all shareholders of the corporation revoking such voluntary dissolution proceedings.

(5) That such written consent has been signed by all shareholders of the corporation or signed in their names by their duly authorized attorneys.

SECTION 12.9. Effect of Statement of Revocation of Voluntary Dissolution Proceedings.

Upon the filing by the Secretary of State of a statement of revocation of voluntary dissolution proceedings, whether by resolution of the directors and shareholders (as provided by Section 12.7) (Revocation of Voluntary Dissolution Proceedings by Resolution of Directors and Shareholders) or by consent of all of the shareholders (as provided by Section 12.8) (Revocation of Voluntary Dissolution Proceedings by Consent of All Stockholders), the revocation of the voluntary dissolution proceedings shall become effective, and the corporation may again carry on its business.

SECTION 12.10. Articles of Dissolution.

(a) If voluntary dissolution proceedings have not been revoked, then when all debts, liabilities and obligations of the corporation have been paid and discharged, or adequate provision has been made therefor, and all remaining property and assets of the corporation have been distributed to its shareholders, articles of dissolution shall be executed, verified, and delivered for filing as provided by Sections 1.4-1.6, and such articles shall set forth:

- (1) The name of the corporation.
- (2) That the Secretary of State has previously filed a statement of intent to dissolve the corporation, and the date on which such statement was filed.
- (3) That all debts, obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor.
- (4) That all remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests.
- (5) That there are no suits pending against the corporation in any court, or that adequate provision has been made for the satisfaction of any judgment, order or decree which may be entered against it in any pending suit.

(b) Upon the filing date of the articles of dissolution, the existence of the corporation shall cease, except for the purpose of suits, other proceedings, and appropriate corporate action by and against shareholders, directors and officers as provided in this Act.

SECTION 12.11. Dissolution by Forfeiture.

(a) If a domestic corporation has failed to

(1) File its annual report within the time required by this Act, or

(2) Pay its franchise tax on or before the date on which such franchise tax is due and payable, or

(3) Appoint and maintain a registered agent in this State, or

(4) For thirty days after change of its registered office or registered agent file in the office of the Secretary of State a notice of such change,

the Secretary of State shall send to the corporation by registered or certified mail addressed to its registered office or principal place of business notice of its impending dissolution by forfeiture, setting forth the ground thereof, and stating that the default must be removed within ninety days of the date of the notice.

(b) If, within ninety days from the date of the notice, the corporation shall not have removed the default, the Secretary of State shall prepare a declaration of dissolution of the corporation by forfeiture stating the ground therefor, and shall file the declaration in his office. The Secretary of State shall send a copy of such declaration to the corporation by registered or certified mail addressed to its registered office or principal place of business, and shall publish the fact of such dissolution in a newspaper published or circulated in the county in which the corporation's last known registered office is located.

SECTION 12.12. Reinstatement of Corporation Dissolved by Forfeiture.

(a) At any time within one year after the date of the declaration of dissolution by forfeiture, one or more persons who were directors of the corporation as of that date may execute, verify, and deliver for filing as provided by Section 1.4-1.6, an application for reinstatement of the corporation. The Secretary of State shall file the application after the corporation has removed the default which was the ground for its dissolution, paid all fees and taxes which would have been payable during the period between dissolution and reinstatement, and paid to the Secretary of State a reinstatement fee.

(b) As of the filing date of the application the corporate existence shall be deemed to have continued without interruption from the date of dissolution, except that reinstatement shall have no effect upon any issue of personal liability of the directors, officers, or agents of the

corporation during the period between dissolution and reinstatement. If the name of the corporation has, during such period, been assumed or reserved or registered by any other person or corporation, the re-instated corporation shall not engage in business until it has amended its articles of incorporation to change its name.

SECTION 12.13. Judicial Dissolution of Corporation on Petition of Attorney General.

(a) A corporation may be dissolved by a decree of the court of the county in which its registered office is, or its last known registered office was, located, in an action filed by the Attorney General, when it is established that:

(1) The corporation has continued to exceed or abuse the authority conferred upon it by law.

(2) The corporation procured its articles of incorporation through fraudulent misrepresentation or concealment of a material fact.

(b) The Attorney General shall bring such action in every case where he determines that the public interest warrants the action; and he shall bring the action in every other case in which satisfactory security shall be given to indemnify the State against the cost and expenses to be incurred thereby.

SECTION 12.14. Dissolution Pursuant to Provision in Articles of Incorporation.

(a) The articles of incorporation of any corporation created under this Act may contain a provision that any shareholder, or the holders of any specified number or proportion or class of outstanding shares, may dissolve the corporation at will or upon the occurrence of any specified event or contingency.

(b) A provision authorized by subsection (a) shall be valid only so long as the shares of the corporation are not traded on any national securities exchange or regularly traded in any over-the-counter market maintained by one or more brokers or dealers in securities.

(c) A transferee of shares in a corporation whose shareholders have entered into a provision authorized by subsection (a) shall be bound by such agreement if he takes the shares with actual notice thereof. A transferee shall be deemed to have actual notice of any such agreement if the text of the agreement, with any amendments, is set forth in the articles of incorporation.

(d) If the articles of incorporation as originally filed do not contain the provision authorized by subsection (a) they may be amended to contain such provision if authorized by an affirmative vote of the holders of all outstanding shares, whether or not entitled to vote.

(e) Each certificate of shares in any corporation whose articles of incorporation authorize dissolution as permitted by this section shall set forth on the back of the certificate the text of any such provision or, if by reason of its length it is impracticable to reproduce the text thereof, then a clear reference to the existence and purport of such provision.

SECTION 12.15. Dissolution Pursuant to Court Order.

The courts of this State shall have full power to decree the dissolution of, and to liquidate the assets and business of, a corporation:

(a) In an action filed by a shareholder, when it is established that:

(1) The directors of the corporation are so divided respecting the management of the corporation's business and affairs that the votes required for action by the board of directors cannot be obtained and the shareholders are unable to terminate the division, with the consequence that (A) the corporation is suffering or will suffer irreparable injury, or (B) the business and affairs of the corporation can no longer be conducted to the advantage of the shareholders generally.

(2) The shareholders are so divided that they have failed, for a period which includes at least two consecutive annual meeting dates, to elect successors to directors whose terms have expired or would have expired upon the qualification of their successors.

(3) The shareholders are so divided respecting the management of the business and affairs of the corporation that (A) the corporation is suffering or will suffer irreparable injury, or (B) the business and affairs of the corporation can no longer be conducted to the advantage of the shareholders generally.

(4) The acts of the directors or those in control of the corporation are illegal, fraudulent, or oppressive as to the corporation or as to any shareholder.

(5) The corporate assets are being misapplied or wasted.

(6) The petitioning shareholder has a right under a provision of the articles of incorporation as permitted by Section 12.14 (Dissolution Pursuant to Provision in Articles of Incorporation)

to dissolution of the corporation at will or upon the occurrence of any specified event or contingency.

(7) The corporation has abandoned its business and has failed, within a reasonable time, to take steps to dissolve and liquidate its affairs and distribute its assets.

(b) In an action filed by a creditor of the corporation:

(1) When the claim of the creditor has been reduced to judgment and an execution thereon returned unsatisfied and it is established that the corporation is insolvent; or

(2) When the corporation has admitted in writing that the claim of the creditor is due and owing and it is established that the corporation is insolvent.

(c) Upon application by a corporation which has filed a statement of intent to dissolve, as provided in this Act, to have its liquidation continued under the supervision of the court.

(d) When an action has been filed by the Attorney General to dissolve a corporation and it is established that liquidation of its business and affairs should precede the entry of a decree of dissolution.

(e) Proceedings under subsections (a), (b), or (c) of this section shall be brought in the county in which the registered office or the principal office of the corporation is located.

(f) In determining whether dissolution should be ordered on petition of a shareholder under subsection (a), dissolution shall not be denied solely because it is found that the business of the corporation has been or could be conducted at a profit.

SECTION 12.16. Procedure in Judicial Dissolution: Liquidation of Corporation.

In any action of suit for judicial dissolution of a corporation:

(a) The complaint shall specify the section or sections of this Act under which it is authorized, shall state the reasons why the corporation should be dissolved, and shall be verified by the plaintiff.

(b) Summons shall issue and process shall be served on the corporation as in other civil actions. It shall not be necessary to make shareholders parties to any such action or proceeding unless relief is sought against them personally, or unless the court in its discretion so orders.

(c) The court shall have full power to issue injunctions, to appoint a receiver, including a receiver *pendente lite*, with such powers and duties as the court may from time to time direct, and to take other proceedings and make other orders as may be requisite to preserve the

corporate assets wherever situated and carry on the business of the corporation until a full hearing can be held.

SECTION 12.17. Appointment, Duties and Qualification of Receivers in Proceedings For Judicial Dissolution of Corporation.

(a) After a hearing had upon such notice as the court may direct to be given to all parties to the proceedings and to any other parties in interest designated by the court, the court may appoint a liquidating receiver or receivers with authority to collect the assets of the corporation, including all amounts owing to the corporation by shareholders on account of any unpaid portion of the consideration for the issuance of shares. Such liquidating receiver or receivers shall have authority, subject to the order of the court, to sell, convey and dispose of all or any part of the assets of the corporation wherever situated, either at public or private sale. The assets of the corporation or the proceeds resulting from a sale, conveyance or other disposition thereof shall be applied to the expenses of such liquidation and to the payment of the liabilities and obligations of the corporation, and any remaining assets or proceeds shall be distributed among its shareholders according to their respective rights and interests. The order appointing such liquidating receiver or receivers shall state their powers and duties. Such powers and duties may be increased or diminished at any time during the proceedings.

(b) The court may allow from time to time as expenses of the liquidation compensation to the receiver or receivers and to attorneys in the proceeding, and direct the payment thereof out of the assets of the corporation or the proceeds of any sale or disposition of such assets.

(c) A receiver of a corporation appointed under the provisions of this section shall have authority to sue and defend in all courts in his own name as receiver of such corporation. The court appointing such receiver shall have exclusive jurisdiction of the corporation and its property, wherever situated.

(d) A receiver shall in all cases be a citizen of the United States or a corporation authorized to act as receiver, which corporation may be a domestic corporation or a foreign corporation authorized to transact business in this State, and shall in all cases give such bond as the court may direct with such sureties as the court may require.

SECTION 12.18. Filing of Claims in Liquidation Proceedings.

In proceedings to liquidate the assets and business of a corporation the court may require all creditors of the corporation to file with the

clerk of the court or with the receiver, in such form as the court may prescribe, proofs under oath of their respective claims. If the court requires the filing of claims, it shall fix a date, which shall be not less than four months from the date of the order, as the last day for the filing of claims, and shall prescribe the notice that shall be given to creditors and claimants of the date so fixed. Prior to the date so fixed, the court may extend the time for the filing of claims. Creditors and claimants failing to file proofs of claim on or before the date so fixed may be permitted by the court, as it deems fit, to participate in the distribution of the assets of the corporation.

SECTION 12.19. Discontinuance of Liquidation Proceedings.

The liquidation of the assets and business of a corporation may be discontinued at any time during the liquidation proceedings when it is established that cause for liquidation did not exist or no longer exists. In such event the court shall dismiss the proceedings and direct the receiver to redeliver to the corporation all its remaining property and assets.

SECTION 12.20. Decree of Involuntary Dissolution.

(a) In proceedings to liquidate the assets and business of a corporation, the court shall enter a decree dissolving the corporation, upon determining that the cost and expenses of such proceedings and all debts, obligations and liabilities of the corporation shall have been paid and discharged and all of its remaining property and assets distributed to its shareholders, or in case its property and assets are not sufficient to satisfy and discharge such costs, expenses, debts and obligations, all the property and assets have been applied so far as they will go to their payment.

(b) Upon entry of the decree dissolving the corporation, the existence of the corporation shall cease.

(c) In case the court shall enter a decree dissolving a corporation, it shall be the duty of the clerk of such court to cause a certified copy of the decree to be filed with the Secretary of State. No fee shall be charged by the Secretary of State for the filing thereof.

SECTION 12.21. Deposit with State Treasurer of Undistributed Assets Due Certain Shareholders and Creditors.

Upon the voluntary or involuntary dissolution of a corporation, the portion of the assets distributable to a creditor or shareholder who is unknown or cannot be found, shall be reduced to cash and deposited with the State Treasurer and shall be paid over to such creditor or

shareholder or to his legal representative upon proof satisfactory to the State Treasurer of his right thereto.

SECTION 12.22. Survival of Remedy After Dissolution; Liquidating Trustees.

(a) The dissolution of a corporation, either (1) by the filing by the Secretary of State of the articles of dissolution, or (2) by a decree of court when the court has liquidated the assets and business of the corporation as provided in this Act, or (3) by expiration of its period of duration, or (4) by forfeiture of its charter, shall not take away or impair any remedy available to or against such corporation, its directors, officers, or shareholders, for any right or claim existing, or any liability incurred, prior to such dissolution if action or other proceeding thereon is commenced within two years after the date of such dissolution. Any such action or proceeding by or against the corporation may be prosecuted or defended by the corporation in its corporate name. The shareholders, directors and officers shall have power to take such corporate or other action as shall be appropriate to protect such remedy, right or claim.

(b) After dissolution of a corporation, the directors as of the date of dissolution, or the survivors of such directors, shall be deemed liquidating trustees of the corporation with authority to take all action necessary or appropriate to dispose of any undistributed property of the corporation.

SECTION 12.23. Discretion of Court to Grant Relief Other than Dissolution.

(a) In any action filed by a shareholder to dissolve the corporation on the grounds enumerated in Section 12.15 (Dissolution Pursuant to Court Order), the court may make such order or grant such relief, other than dissolution, as in its discretion it deems appropriate, including, without limitation, an order

(1) Cancelling or altering any provision contained in the articles of incorporation, or any amendment thereof, or in the by-laws of the corporation;

(2) Cancelling, altering, or enjoining any resolution or other act of the corporation;

(3) Directing or prohibiting any act of the corporation or of shareholders, directors, officers or other persons party to the action; or

(4) Providing for the purchase at their fair value of shares of any shareholder, either by the corporation or by other shareholders.

(b) Such relief may be granted as an alternative to a decree of dissolution, or may be granted whenever the circumstances of the case are such that relief, but not dissolution, would be appropriate.

Chapter 13. FOREIGN CORPORATIONS

SECTION 13.1. Authorization Of Foreign Corporations to do Business in this State.

(a) A foreign corporation shall not do business in this State until it shall have been authorized to do so, as provided in this chapter. A foreign corporation may be authorized to do in this State any business which it is authorized to do in the jurisdiction of its incorporation, and which may be done in this State by a domestic corporation, but no other business. A foreign corporation shall not be denied authority to do business in this State solely because the laws of the jurisdiction of its incorporation differ from the laws of this State with respect to the organization and internal affairs of the corporation.

(b) Without excluding other activities which may not constitute doing business in this State, a foreign corporation shall not be deemed to be doing business in this State, for purposes of this chapter, solely by reason of carrying on in this State any one or more of the following activities:

(1) Maintaining, defending, or participating in any action or proceeding whether judicial, administrative, arbitral or otherwise, or effecting the settlement thereof or the settlement of claims or disputes;

(2) Holding meetings of its shareholders, directors, or committees.

(3) Maintaining bank accounts.

(4) Maintaining offices or agencies for the transfer, exchange, and registration of its securities, or appointing and maintaining trustees or depositaries with relation to its securities.

(5) Creating or acquiring evidences of debt, mortgages, or liens on real or personal property.

(6) Securing or collecting debts or enforcing any rights in property covering the same.

(7) Effecting a transaction in interstate or foreign commerce.

(8) Owning and controlling a subsidiary corporation incorporated in or transacting business within this State.

(9) Conducting within this State an isolated transaction which is completed within a period of thirty days and which is not in the course of a series or number of repeated transactions.

(c) The provisions of this section shall not be deemed to establish a standard for activities which may subject a foreign corporation to service of process under this chapter or any other statute of this State.

SECTION 13.2. Application for Authority.

(a) A foreign corporation may apply for authority to do business in this State by executing, verifying, and delivering for filing, as provided by sections 1.4-1.6, an application setting forth:

(1) The name of the corporation.

(2) The jurisdiction under the laws of which it is incorporated.

(3) The date of incorporation, and the period of duration of the corporation.

(4) A statement of the business which it proposed to do in this State, and a statement that it is authorized to do that business under the laws of its jurisdiction of incorporation.

(5) The address of the registered or principal office of the corporation in the jurisdiction of its incorporation.

(6) The address of its proposed registered office in this State and the name of its proposed registered agent in this State at such address.

(7) Statements of the aggregate number of shares which the corporation has authority to issue, and the aggregate number of shares which the corporation has issued, itemized by classes, par value of shares, shares without par value, and series, if any, within a class; and a statement expressed in dollars, of the corporation's stated capital.

(b) The application of the corporation for authority shall be accompanied by:

(1) A copy of its articles of incorporation and all amendments thereto, or if permitted by its jurisdiction of incorporation, a restated or consolidated charter or articles, duly authenticated by the proper officer of its jurisdiction of incorporation.

(2) A certificate, signed by an attorney licensed to practice in this State, that all requirements of this chapter relating to the qualification of foreign corporations have been complied with.

SECTION 13.3. Effect of Authorization of Foreign Corporation to do Business in this State.

Upon filing by the Secretary of State of the application for authority, the foreign corporation shall be authorized to do in this State any business set forth in the application. Such authority shall continue so long as the corporation retains its authority to do such business in its jurisdiction of incorporation, and so long as its authority to do business in this State, has not been suspended, revoked, or surrendered as provided in this chapter.

SECTION 13.4. Powers of Foreign Corporation.

A foreign corporation authorized to do business in this State shall, until such authority is revoked, suspended, or otherwise terminated, have the same, but no greater, powers, rights and privileges as a domestic corporation organized for the purposes set forth in its application for authority; and, except as otherwise provided in this Act, shall be subject to the same duties, restrictions, liabilities, and penalties now or hereafter imposed upon a domestic corporation of like character.

SECTION 13.5. Corporate Name of Foreign Corporation.

(a) No foreign corporation shall be authorized to do business in this State unless the name of the corporation complies with the requirements of Section 3.1 (Corporate Name).

(b) If the name of the foreign corporation does not contain the word "corporation," "incorporated," or "limited," or an abbreviation thereof, the foreign corporation shall be in compliance with Section 3.1 (Corporate Name) if, for use in this State, it shall add at the end of its name any such words or abbreviation.

(c) If a foreign corporation authorized to do business in this State shall change its name in its jurisdiction of incorporation, it shall, within thirty days after the effective date thereof, amend its application of authority, as provided by Section 13.8 (Amended Application for Authority).

(d) If the corporation fails to file the amendment required by subsection (c), or if the name to which it has changed would be unavailable to it on an original application for authority, the corporation's authority to do business in this State shall be suspended, and it

shall not thereafter do any business in this State until it has filed the amendment or has adopted a name which is available to it under the laws of this State.

SECTION 13.6. Amendment to Articles of Incorporation of Foreign Corporation.

Whenever a foreign corporation authorized to do business in this State amends its articles of incorporation, it shall, within thirty days after the effective date of the amendment, deliver to the Secretary of State for filing, as provided by Section 1.6, a copy of such amendment, duly authenticated by the proper officer of its jurisdiction of incorporation; but the filing thereof by the Secretary of State shall not of itself enlarge or alter its authority to do business in this State or entitle it to adopt any name other than that under which, at the time of filing, it is authorized to do business in this State.

SECTION 13.7. Merger of Foreign Corporation Authorized to do Business in this State.

Whenever a foreign corporation authorized to do business in this State shall be the surviving corporation in a statutory merger permitted by the laws of its jurisdiction of incorporation, it shall, within thirty days after the effective date of the merger, deliver to the Secretary of State for filing, as provided by Section 1.6, a copy of the articles of merger duly authenticated by the proper officer of the jurisdiction under the laws of which the merger was effected. It shall not be necessary for such corporation to secure either new or additional authority to do business in this State unless the name of such corporation is changed, or unless the corporation proposes to do other or additional business than that which it is then authorized to do in this State.

SECTION 13.8. Amended Application for Authority.

(a) A foreign corporation authorized to do business in this State shall amend its application for authority if it shall:

(1) Change its corporate name, provided that such change has been effected under the laws of its jurisdiction of incorporation;

(2) Enlarge, limit, or otherwise change the business or businesses which it does or proposes to do in this State.

(b) Such amendment shall be executed, verified, and delivered for filing to the Secretary of State, as provided by Sections 1.4-1.6, and shall set forth:

(1) The name of the foreign corporation as it appears on the index of names of authorized foreign corporations in the office of the Secretary of State.

(2) The jurisdiction under the laws of which it is incorporated.

(3) The date on which it was authorized to do business in this State.

(4) The proposed amendment to its application of authority.

(5) If the name of the corporation is to be changed, a statement that the change of name has been effected under the laws of its jurisdiction of incorporation, and the date the change was effected.

(6) If the business which it proposes to do in this State is to be enlarged, limited or otherwise changed, a statement that it is authorized to do that business under the laws of its jurisdiction of incorporation.

SECTION 13.9. Surrender of Foreign Corporation's Authority to do Business in this State.

(a) A foreign corporation authorized to do business in this State may surrender its authority, by executing, verifying, and delivering for filing, as provided in Sections 1.4-1.6, an application for surrender of authority, which shall set forth:

(1) The name of the foreign corporation as it appears on the index of names of authorized foreign corporations in the office of Secretary of State.

(2) The jurisdiction of its incorporation.

(3) The date on which it was authorized to do business in this State.

(4) That the corporation is not as of the date of application doing business in this State.

(5) That it surrender its authority to do business in this State.

(6) That it revokes the authority of its registered agent in this State to accept service of process, and consents that process in any action, suit or proceeding based upon any cause of action arising in this State before the date of filing the application may be served on the Secretary of State after the filing by the Secretary of the application.

(7) A post office address within or without this State to which the Secretary of State shall mail a copy of any process served upon him against the corporation.

(b) The authority of the foreign corporation to do business in this State shall terminate as of the date of filing by the Secretary of State of the application for surrender of authority.

SECTION 13.10. Foreign Corporation's Termination of Existence in Jurisdiction of Its Incorporation: Effect Upon Authority in this State.

(a) When a foreign corporation authorized to do business in this State shall be dissolved, or its authority or existence otherwise canceled or terminated, in its jurisdiction of incorporation, or when the corporation is merged into or consolidated with another foreign corporation which is not authorized to do business in this State, the corporation or its successor or trustee shall deliver for filing with the Secretary of State of South Carolina a certificate of the appropriate official of its jurisdiction of incorporation attesting to, or a certified copy of an order or decree of a court of its jurisdiction of incorporation directing, the dissolution of such foreign corporation, the termination of existence, the cancellation or revocation of its authority, or its merger into or consolidation with another foreign corporation.

(b) The authority of the foreign corporation to do business in this State shall terminate as of the date of filing by the Secretary of State of the certificate.

(c) The Secretary of State shall be the agent of the foreign corporation for service of process in any action, suit, or proceeding based upon any cause of action arising in this State before the date of filing the certificate, order or decree, and he shall promptly send by registered mail a copy of any such process to the corporation at the post office address on file in his office.

SECTION 13.11. Revocation of Foreign Corporation's Authority to do Business in this State.

(a) The authority of a foreign corporation to do business in this State may be revoked by the Secretary of State, as provided by subsection (b), when:

(1) The corporation has failed to file its annual report within the time specified by Section 14.1 (Annual Report of Domestic and Foreign Corporations), or has failed to pay any fees, franchise taxes or penalties prescribed by this Act when they have become due and payable.

(2) The corporation has failed to appoint and maintain a registered agent in this State as required by Section 3.4 (Registered Office and Registered Agent).

(3) The corporation has failed, after change of its registered office or registered agent, to file in the office of the Secretary of State a statement of such change as required by Section 3.5 (Change of Registered Office or Registered Agent).

(4) The corporation has failed to file in the office of the Secretary of State within the required time any amendment to its articles of incorporation as required by Section 13.6 (Amendment to Articles, etc.) or articles of merger as required by Section 13.7 (Merger of Foreign Corporation, etc.).

(5) A misrepresentation has been made of a material fact in any application, report, affidavit, or other document required by this Act.

(b) The authority of a foreign corporation shall be revoked only after the Secretary of State (1) shall have mailed to the corporation's registered office in this State at least sixty days notice of impending revocation of its authority to do business in this State, including a specification of the default, and (2) the corporation shall fail prior to revocation to remove the ground of default.

(c) Upon revoking the authority of the foreign corporation, the Secretary of State shall issue a certificate of revocation in duplicate, file one copy in his office, and mail the other to the corporation at its registered office in this State.

(d) The authority of the corporation to do business in this State shall cease as of the date of the certificate of revocation.

SECTION 13.12. Suits by Attorney-General Against Foreign Corporations.

(a) The attorney general may bring an action to restrain a foreign corporation from doing in this State (1) without authority any business for which authority is required by this chapter; (2) any business not set forth in its application for authority or amendment thereto filed with the Secretary of State; (3) any business, authority for which was obtained through fraud, misrepresentation, or concealment of a material fact. A certified copy of any order of court in such action shall be filed with the Secretary of State.

(b) The Secretary of State shall be the agent of the foreign corporation upon whom process against it may be served in any action, suit or proceeding based upon any cause of action arising in

this State before the date of filing the order of court, and he shall promptly send by registered mail a copy of any such process to the corporation at the post office address on file in his office.

SECTION 13.13. Service of Process on Authorized Foreign Corporation.

(a) The registered agent appointed by a foreign corporation authorized to do business in this State shall be an agent of such corporation for service of any process, notice or demand required or permitted by law to be served, and such service shall be binding upon the corporation.

(b) Whenever a foreign corporation authorized to do business in this State shall fail to appoint or maintain a registered agent in this State, or whenever any such registered agent cannot with reasonable diligence be found at the registered office, or whenever the certificate of authority of a foreign corporation shall be suspended or revoked, then the Secretary of State shall be an agent of such corporation upon whom any such process, notice, or demand may be served. Service on the Secretary of State of any such process, notice, or demand shall be made by delivering to and leaving with him, or with any person designated by him to receive such service, duplicate copies of such process, notice or demand. In the event any such process, notice or demand is served on the Secretary of State, he shall immediately cause one of such copies thereof to be forwarded by registered mail, addressed to the corporation at its registered office or principal office in its jurisdiction of incorporation. Any service so had on the Secretary of State shall be returnable in not less than thirty days.

(c) The Secretary of State shall keep a record of all processes, notices and demands served upon him under this section, and shall record therein the time of such service and his action with reference thereto.

(d) Nothing herein contained shall limit or affect the right to serve any process, notice or demand, required or permitted by law to be served upon a corporation in any other manner now or hereafter permitted by law.

SECTION 13.14. Service of Process on Foreign Corporation Not Authorized to do Business in this State.

(a) Every foreign corporation which is not authorized to do business in this State shall, by doing in this State, either itself or through

an agent, any business, including any business for which authority need not be obtained as provided by Section 13.1 (Authorization of Foreign Corporations to do Business in This State), be deemed to have designated the Secretary of State as its agent upon whom process against it may be served in any action or proceeding arising out of or in connection with the doing of any business in this State.

(b) Service of such process shall be made by delivering to and leaving with the Secretary of State, or with any person designated by him to receive such service, duplicate copies of such process, notice, or demand. The Secretary of State shall thereupon immediately cause one of such copies to be forwarded by registered mail, addressed to the corporation, either at its registered office in the jurisdiction of its incorporation, its principal place of business in such jurisdiction, or at the last address of such foreign corporation known to the plaintiff, in that order.

(c) Proof of service shall be by affidavit of compliance with this section filed, together with a copy of the process, with the clerk of court in which the action or proceeding is pending. There shall be filed with the affidavit of compliance the return receipt signed by such foreign corporation or other official proof of delivery, or if acceptance was refused, there shall be filed the original envelope with a notation by the postal authorities that acceptance was refused. If acceptance was refused, a copy of the notice and process together with notice of the mailing by registered mail and of refusal to accept shall be promptly sent to such foreign corporation. If this section is complied with, the refusal to accept delivery of the registered mail or to sign the return receipt shall not affect the validity of the service, and the foreign corporation refusing to accept such registered mail shall be charged with knowledge of the contents thereof.

(d) Service under this section may also be made by delivery of a copy of the process to any foreign corporation outside the State. Proof of such delivery shall be made by affidavit of the person making delivery, and the affidavit shall be filed with the clerk of court in which the action or proceeding is pending.

SECTION 13.15. Effect of Foreign Corporation Doing Business in this State Without Authority.

(a) A foreign corporation which does business in this State without authority shall be liable to this State for all fees, penalties, and franchise taxes for the years or parts thereof during which it did business in this State without authority. The Attorney General shall

bring proceedings to recover all such amounts due under the provisions of this section.

(b) A foreign corporation doing business in this State without authority shall not maintain any action, suit or proceeding in this State unless and until such corporation shall have been authorized to do business in this State and have paid to the State all fees, penalties, and franchise taxes due under subsection (a). This prohibition shall apply to any assignee, successor in interest, whether by merger, consolidation or otherwise, or purchaser of all or substantially all of the assets of such corporation.

(c) The failure of a foreign corporation to obtain authority to do business in this State shall not impair the validity of any contract or act of such corporation or the right of any other party to the contract to maintain an action or other proceeding thereon, and shall not prevent such corporation from defending any action, suit or proceeding in this State.

SECTION 13.16. Application to Corporations Previously Authorized to do Business in this State.

Every foreign corporation which on the effective date of this chapter is authorized to do business in this State shall continue to have such authority for any purpose or purposes for which a corporation might secure authority under this chapter. Such foreign corporations shall have the same rights and privileges; and shall be subject to the same duties, limitations, restrictions, liabilities and penalties as a foreign corporation authorized under this Chapter:

Chapter 14. ANNUAL REPORTS, POWERS OF SECRETARY OF STATE AND MISCELLANEOUS PROVISIONS

SECTION 14.1. Annual Report of Domestic and Foreign Corporations.

(a) Each domestic corporation, and each foreign corporation authorized to do business in this State, shall file, within the time prescribed by this Act, an annual report setting forth:

(1) The name of the corporation and its jurisdiction of incorporation.

(2) The address of the registered office of the corporation in this State, and the name of its registered agent in this State at such address including the street or rural route number, town or

city, county, and state; and, in the case of a foreign corporation, the address of its registered or principal office in its jurisdiction of incorporation.

(3) A brief statement of the character of the business in which the corporation is actually engaged in this State.

(4) The names and respective business and residence addresses of the directors and officers of the corporation, including the street or rural route number, town or city, county, and state.

(5) A statement of the aggregate number of authorized shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class.

(6) A statement of the aggregate number of issued shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class.

(7) A statement of any changes, since the last annual report, in the aggregate number of authorized and issued shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class.

(8) A statement, expressed in dollars, of the amount of stated capital of the corporation, as defined in this act.

(9) The date and place of the annual meeting of shareholders to elect directors of the corporation.

(b) The information contained in the annual report shall be given as of the close of business on the last day of the calendar year for which the report is filed, including, where applicable, the calendar year in which the corporation is organized and dissolved. If between such date and the date of execution of the report, any material change has occurred with respect to any fact required to be set forth in the report, such change shall also be stated.

(c) Duplicate copies of the annual report shall be executed and verified as provided by Sections 1.4 and 1.5. Such report shall be delivered for filing between the first day of January and the first day of March of the year next succeeding the calendar year for which the report is to be made. One copy of the report, together with the filing fee required by this Act, shall be delivered for filing to the Secretary of State who shall file the report if he finds that it conforms to the requirements of this Act, but no copy of any annual report need be filed with the clerk of court of any county of this State. The other copy of the annual report shall be delivered for filing with the South Carolina Tax Commission, together with such other information or documents or returns as that Commission may require.

SECTION 14.2. Failure to File Annual Report; Incorrect Report; Penalties.

(a) Any corporation required to file an annual report as provided by Section 14.1 (Annual Reports of Domestic and Foreign Corporations) which fails to file its annual report on or before the due date shall forfeit to the State the sum of twenty-five dollars for each failure.

(b) If the Secretary of State finds that any annual report delivered for filing does not conform to the requirements of Section 14.1 (Annual Reports of Domestic and Foreign Corporations), he shall promptly return the report for correction. If the report is returned for correction and the corrected report is delivered to the Secretary of State for filing within thirty days after the date on which the Secretary returned the report, it shall be filed without additional filing fee and without the penalty provided in subsection (a). If the report is returned for correction and a corrected report is not received by the Secretary within thirty days, or the corrected report is received but does not conform to law, the corporation shall be subject to the forfeiture provided in subsection (a) of this section.

(c) In the event of any such default, the Secretary shall also proceed as provided by Section 12.11 (Dissolution of Corporation by Forfeiture), and in Section 13.11 (Revocation of Foreign Corporation's Authority to do Business in this State).

SECTION 14.3. Powers of Secretary of State.

The Secretary of State shall have the power and authority reasonably necessary to enable him to administer this Act efficiently and to perform the duties therein imposed upon him.

SECTION 14.4. Interrogatories by Secretary of State.

(a) The Secretary of State may propound to any corporation, domestic or foreign, which he has reason to believe is subject to the provisions of this Act, and to any officer or director thereof, such interrogatories as may be reasonably necessary and proper to enable him to ascertain whether such corporation has complied with all the provisions of this Act which are or may be applicable to such corporations.

(b) Interrogatories so propounded shall be answered within thirty days after the mailing thereof, or within such additional time as may be fixed by the Secretary of State. Answers to interrogatories shall be full and complete and shall be made in writing and under oath. If such interrogatories be directed to an individual they shall be

answered by him, and if directed to a corporation they shall be answered by the president, vice-president, secretary, or assistant secretary thereof.

(c) The Secretary of State need not file any document to which such interrogatories relate until they be answered as herein provided, and not then if the answers thereto disclose that such document is not in conformity with the provisions of this Act.

SECTION 14.5. Information Disclosed by Interrogatories.

Interrogatories propounded by the Secretary of State and the answers thereto shall not be open to public inspection nor shall the Secretary of State disclose any facts or information obtained therefrom except in so far as his official duty may require disclosure, or in the event such interrogatories or the answers thereto are required for evidence in any proceeding instituted by this State.

SECTION 14.6. Certain Penalties Imposed Upon Corporations, Their Directors and Officers.

(a) Each corporation, domestic or foreign, which fails or refuses within the prescribed time to answer fully and truthfully any interrogatories propounded by the Secretary of State in accordance with Section 14.4 (Interrogatories by Secretary of State) shall be deemed guilty of a misdemeanor and upon conviction thereof may be fined in an amount not exceeding five hundred dollars.

(b) Each officer and director of a corporation, domestic or foreign, who fails or refuses within the prescribed time to answer fully and truthfully any interrogatories propounded to him by the Secretary of State in accordance with Section 14.4 (Interrogatories by Secretary of State) shall be deemed guilty of a misdemeanor and upon conviction thereof may be fined in an amount not exceeding five hundred dollars.

SECTION 14.7. False and Misleading Statements in Documents Required to be Filed with Secretary of State.

(a) Any person who signs any document required to be delivered for filing with the Secretary of State by any corporation, domestic or foreign, knowing that such document contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, shall be deemed guilty of a misdemeanor, and upon conviction thereof may be fined in an amount not exceeding five hundred dollars.

(b) Any person who violates subsection (a) shall be liable to any person who is damaged thereby.

SECTION 14.8. Certified Copies of Documents Filed with Secretary of State to be Received in Evidence.

All copies of documents which have been filed in the office of the Secretary of State as required by any provision of this Act shall, when certified by him, be taken and received in all courts, public offices, and official bodies as prima facie evidence of the facts therein stated. A certificate by the Secretary of State under the seal of his office as to the existence or nonexistence of facts relating to corporations which would not appear from a certified copy of any document filed in his office shall be taken and received in all courts, public offices, and official bodies as prima facie evidence of the existence or non-existence of the facts therein stated.

SECTION 14.9. Certified Records of a Corporation as Prima Facie Evidence of Facts Stated Therein.

(a) When certified under oath of the president and of the secretary or an assistant secretary of the corporation to be true and correct, the original or a copy of

- (1) the minutes of the proceedings of the incorporators;
- (2) The minutes of the meetings or other proceedings of the shareholders or any class thereof;
- (3) the minutes of the meetings or other proceedings of the directors or any committee thereof;
- (4) any written consent, waiver, release, or agreement entered into the records of minutes; and
- (5) a statement that no special meeting or proceeding was held, or that no specified consent, waiver, release or agreement exists, shall be *prima facie* evidence of the facts stated therein.

(b) Every meeting referred to in such certified original or copy shall be deemed duly called and held, and all motions and resolutions adopted and proceedings had at such meeting shall be deemed duly adopted and had, and all elections of directors and all elections or appointments of officers chosen at such meeting shall be deemed valid, until the contrary is proven.

SECTION 14.10. Effect of Repeal of Prior Acts.

The repeal of a prior Act by this Act shall not affect any right accrued or established, or any liability or penalty incurred, under the provisions of such act prior to its repeal.

SECTION 14.11. Repeal.

Chapters 1 through 8 and Chapters 10 and 11 of Title 12 of the Code of Laws of South Carolina, 1952, and all other Acts or parts of Acts inconsistent herewith are repealed.

SECTION 14.12. Effective Date of Act.

This Act shall take effect January 1, 1964.

Approved the 30th day of March, 1962.

(R986, H2467)

No. 848

An Act To Create The South Carolina Nuclear Energy And Space Commission And To Provide Funds Therefor; To Authorize The Issuance Of Bonds Under Certain Conditions; And To Repeal Act 707 Of 1960, Appointing A Committee To Study The Peaceful Use Of Atomic Energy.

Whereas, rapid developments in the fields of nuclear energy, space, and related technologies offer increasing opportunities for economic and social advancements; and

Whereas, the General Assembly believes that the State should have a central agency for coordinating the diverse developmental, operational and regulatory functions associated with these scientific developments, and to pursue and control any harmful effects therefrom. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the remarkable scientific developments that have occurred in the fields of nuclear energy and space exploration and the present emphases and plans for further developments in these fields by the federal government and private industry create broad opportunities and responsibilities for the states. Great consideration must be given to these developments as they relate to, or affect, the welfare of South Carolina in order that technological developments achieved in these areas can be fully exploited to advance the economic and social well-being of our people. Recognition is given to the existence in South Carolina of a nuclear complex which will inevitably produce additional satellite industries. Of necessity the beneficial growth

of nuclear energy and space activities will exert influence through the gamut of state functions to include economic development, education, public health, transportation, insurance, workmen's compensation, and other important areas of traditional responsibility. It is prudent and wise that the state provide the means, which do not now exist, for coordinating all affected functions of State government without usurpation of authority of existing agencies of government and with full consideration of health and safety requirements. It is likewise important in nuclear energy and space affairs that the state maintain appropriate liaison with agencies of the federal government, the United States Congress, certain national foundations and associations, and regional groups as well as other states. Hence, it is important that the state possess the expertise to pursue those activities and programs which shall accrue to the benefit of the state as a whole and reject those which are not in the public interest. On that basis the General Assembly has determined to create a Nuclear Energy and Space Commission for South Carolina and to give to it the functions and duties set forth in this act. The General Assembly has further determined that it shall be a major function of this Commission to keep the Governor and the General Assembly fully apprised of developments in these fields. Moreover, in order to assure the circumspect evaluation of any future legislation which may arise incident to these functions, it is provided that six members of the Commission shall, ex officio, be members of the General Assembly. Particular consideration has likewise been given to the promotion and treatment of nuclear energy—space industry in a manner which will meld such industry into the balanced economy of the state.

SECTION 2. South Carolina Nuclear Energy and Space Commission created — members — appointments — officers terms.

—There is hereby created the South Carolina Nuclear Energy and Space Commission, hereinafter referred to as the Commission. The Commission shall consist of nine members, to be appointed as follows: three shall be appointed, ex officio, by the President of the Senate from the membership of that body; three shall be appointed, ex officio, by the Speaker of the House of Representatives from the membership of that body; and three shall be appointed by the Governor, by and with the advice and consent of the Senate. The Governor shall name one of his appointees as temporary chairman of the Commission. The temporary chairman shall call a meeting of the Commission as soon as practicable after

appointment, at which time the Commission shall organize itself by electing one of its members as chairman and any other officers necessary for the proper functioning of the Commission. Thereafter the Commission shall meet upon the call of the chairman or a majority of its members. The terms of the members appointed by the Governor shall be for three years except that the initial appointments shall be staggered for one, two and three year terms respectively; the terms of the legislative members shall be coterminous with their elected terms. At the first meeting of the Commission the members shall draw lots for the length of the terms, the results of which shall be reported to the Secretary of State. The term of the chairman shall be for two years.

SECTION 3. Powers and duties.—The Commission is charged with the formulation and execution of a nuclear energy and space program for the State of South Carolina consistent with requirements for public health and safety.

The Commission shall coordinate related activities of state agencies, offices, and political subdivisions. Such coordination shall take place without usurpation of authority of the agency, office or political subdivision.

The several agencies of the state and political subdivisions thereof shall keep the Commission fully and currently informed as to their activities relating to development and regulation of sources of ionizing radiation.

No rule, regulation or ordinance or amendment thereto, or repeal thereof, primarily and directly relating to space activities or to nuclear energy or the use of nuclear energy, which any department, division, commission or other agency of the state or of any political subdivision thereof may propose to issue or promulgate, shall become effective until ninety days after it has been submitted to the Commission, unless the Commission or the Governor waives all or any part of such ninety-day period.

The Commission shall maintain liaison with the U. S. Atomic Energy Commission, the National Aeronautics and Space Administration and other agencies of the federal government as shall be concerned with nuclear-space affairs; and with similar programs of other states and with regional, industrial, research and development groups and with others as shall be appropriate for the performance of the duties for which appointed.

The Commission shall conduct studies and symposia, collect and disseminate information and undertake such other appropriate functions as shall further nuclear energy and space achievements in the fields of education, agriculture, industry, transportation, medicine, and any other phase of the program which will benefit the people of the State.

The Commission shall act as principal advisory agency to the Governor and to the General Assembly on nuclear energy, space and related technologies and shall make recommendations for action or for the arresting of action in these fields as shall serve the best interests of the state as a whole.

SECTION 4. Governor may designate Board of Health to regulate nuclear materials.—Whenever he shall determine that the interest of public health and safety so require, the Governor is authorized to delegate to the State Board of Health (the regulatory agency) the power to provide by rule or regulation for general or specific licensing or registration of by-products, sources, special nuclear materials, or devices or equipment utilizing such materials. Such rule or regulation shall provide for amendment, suspension, or revocation of licenses. Such rules shall be promulgated in such fashion as to preserve the public health and the safety of persons and property and to that end may limit or prohibit the manufacture and transportation of all types of nuclear material.

The regulatory agency is authorized to require registration or licensing of other sources of ionizing radiation.

The regulatory agency is authorized to exempt certain sources of ionizing radiation or kinds of uses or users from the licensing or registration requirements set forth in this section when the regulatory agency makes a finding that the exemption of such source of ionizing radiation or kinds of uses or users will not constitute a significant risk to the health and safety of the public.

Rules and regulations promulgated pursuant to this act may provide for recognition of other state or federal licenses as the regulatory agency may deem desirable, subject to such registration requirements as the regulatory agency may prescribe.

SECTION 5. Governor may make agreements with federal government.—The Governor, on behalf of the state, is authorized to enter into agreements with the federal government providing for discontinuance of certain of the federal government's responsibilities

with respect to sources of ionizing radiation and the assumption thereof by this state.

Any person who, on the effective date of an agreement, possesses a license issued by the federal government shall be deemed to possess the same pursuant to a license issued under this act which shall expire either ninety days after receipt from the regulatory agency of a notice of expiration of such license, or on the date of expiration specified in the federal license, whichever is earlier.

SECTION 6. Employ director.—The Commission is authorized to employ a director and such other personnel as may be necessary in order to accomplish the ends for which the Commission was created, consistent with duly authorized appropriations. The members of the Commission shall receive no compensation but shall be entitled to such per diem and mileage as is authorized by law for members of boards, commissions and committees for each day that they are in the execution of the duties for which appointed.

SECTION 7. Appropriation.—There is hereby appropriated from the General Fund of the State the sum of forty thousand dollars for the fiscal year 1961-1962. Any balance remaining in this appropriation on July 1, 1962, shall not revert to the State Treasury, but may be retained for the use of the Commission and expended for official purposes during the fiscal year 1962-1963. This appropriation shall be expended upon vouchers signed by the chairman of the Commission.

SECTION 8. Rules and regulations.—The Commission is authorized to issue such rules and regulations as may be necessary in the performance of its duties and, when these rules and regulations are promulgated pursuant to the provisions of law, they shall have the full force and effect of law.

SECTION 9. Commission to construct facilities when scientific knowledge to be beneficial to colleges—issuance and payment of bonds.—If it shall find that any person or corporation shall agree, in writing, to make available to any one or more of the State supported institutions of higher learning, scientific knowledge derived from the nuclear energy and space activities in which it shall, from time to time, engage (subject to such reasonable safeguards with respect to secrecy as may be required of it by the federal government, or any agency thereof), then in such event, if the Commission shall find that the availability of such information will result in

important benefit to such institution, it shall be empowered to acquire suitable sites and to construct thereon facilities for use by such person or corporation, and at such rentals and charges as the Commission shall prescribe. To that end the Commission is authorized to: acquire lands and buildings, to lease (with or without an option for their purchase in favor of the lessee) the same, and from time to time to sell and convey the same on such terms and conditions as it shall determine to be in the public interest, but no contract of purchase, lease, sale, or deed of conveyance made by the Commission shall be effective unless the same shall be approved by the Attorney General of the State of South Carolina as proper under the provisions of this act.

In order to raise moneys for this purpose the Commission is hereby authorized and empowered to borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of the facilities. The sums borrowed may be those needed to pay all costs incident to the initial construction and establishment of such facilities, and any extension, addition and improvement to the facilities, including architects' costs, construction costs, the sum needed to pay interest during the period of not exceeding two years, and all other expenses of any sort which may be incident to any of the foregoing. Neither the faith nor credit of the State of South Carolina shall be pledged for the payment of the principal and interest of such obligations, and there shall be on the face of each such obligation a statement, plainly worded, to that effect. Neither the members of the Commission nor any person signing such obligations shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the Commission shall be fully empowered to avail itself of all powers granted by Article 9, of Chapter 3, and by Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that future amendments and modifications of Article 9, of Chapter 3, and of Chapter 5, Title 59, Code of Laws of South Carolina, 1952, shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the powers conferred upon the Commission by Article 9, of Chapter 3, and by Chapter 5, Title 59, the Commission may make all pledges and covenants authorized by any provision of either chapter, and may confer upon the holders of its securities all rights and liens authorized by either

chapter. Notwithstanding the provisions of Article 9, of Chapter 3, and of Chapter 5, Title 59, Code of Laws of South Carolina, 1952, the Commission may:

(a) Issue bonds payable solely from the net rentals to be derived from the leasing of any such facility.

(b) Secure any obligations issued hereunder by a valid forecloseable mortgage, deed of trust or indenture, which shall contain such covenants and undertakings as shall appear appropriate and of the tenor customarily employed by private corporations who secure their bonds by a forecloseable mortgage, deed of trust or indenture. The provisions of this subparagraph shall be deemed in addition to provisions of the above statutes authorizing nonforecloseable statutory liens and pledges of revenues.

(c) Provide that all bonds of any issue mature at a fixed time in lieu of serial maturities as contemplated by Section 59-382, Code of Laws of South Carolina, 1952.

(d) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(e) Covenant and agree that upon default in the performance of any covenant or undertaking in any mortgage, deed of trust or indenture securing any bonds of the Commission, the same may be foreclosed in the manner of any mortgage, deed of trust or indenture of any private corporation.

(f) Confer upon a corporate trustee the power to make disposition of the proceeds from facilities whose revenues are pledged, in accordance with and in the order of priority prescribed by the resolutions adopted by the Commission as an incident to the issuance of any notes, bonds or other types of securities.

(g) Provide that such obligations and the interest thereon shall be exempt from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise. This provision shall be deemed a part of the contract, inuring to the benefit of all holders or beneficiaries of its securities.

(h) Dispose of its obligations at public or private sale, and upon such terms, conditions and rates of interest as it shall approve.

(i) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the Commission shall approve.

(j) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(k) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent thereto shall be given.

SECTION 10. Penalties.—Any person who shall wilfully violate any rule or regulation promulgated pursuant to this act shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment for a term of not more than one year, or by both such fine and imprisonment, for each separate violation. Each day upon which such violation occurs shall constitute a separate offense.

SECTION 11. Attorney General to give legal assistance.—The Attorney General of the State of South Carolina shall be the legal advisor of the commission and shall upon request of the commission institute injunction proceedings or any other court action to accomplish the purpose of this act. In the prosecution of any criminal action under the terms of this act by the Attorney General and in any proceeding before a grand jury in connection therewith, the Attorney General may exercise all the powers and perform all the duties which the circuit solicitor would otherwise be authorized and required to exercise or perform and in such a proceeding the circuit solicitor shall exercise those powers and perform those duties as are requested of him by the Attorney General.

SECTION 12. Exempt from taxes.—All property, real, personal and mixed, title to which shall be in the commission, shall be exempt from all State, county and municipal taxes of every nature or sort.

SECTION 13. Saving clause. If any section, paragraph, clause or provision of this act shall be held unconstitutional, including specifically any provision delegating to the Governor, the Commission or to the State Board of Health the power to make and promulgate regulations pursuant to this act, such holding shall not impair or affect

the validity of the remainder of this act, it being expressly declared that such provisions shall be deemed separable from the remainder of the act.

SECTION 14. Repeal—Act 707 of 1960 repealed.—Act 707 of 1960 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R987, S443)

No. 849

An Act To Amend Section 68-22, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Exemptions From The South Carolina Unemployment Compensation Law, So As To Provide An Exemption For Real Estate Salesmen Or Agents.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 68-22, 1952 Code, amended—subsection added to exempt real estate salesmen.—Section 68-22, Code of Laws of South Carolina, 1952, as amended, is further amended by adding a new subsection to be appropriately numbered which shall read as follows:

“() Service performed by an individual for an employer as a real estate salesman or agent, if all such service performed by such individual for such employer is performed for remuneration solely by way of commission;”.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R988, S500)

No. 850

An Act To Amend Section 64-2, Code Of Laws Of South Carolina, 1952, Relating To Working On Sunday So As To Further Provide For Sunday Work; To Permit Certain Sales And Activities; To Prohibit Certain Sales And Activities, And To Provide For Penalties And Other Remedies For Violations.

Whereas, social, economic and other factors have made increasingly apparent the need for a more equitable and uniform method of securing the observance of a day of rest in South Carolina; and

Whereas, it is in the interest of the moral, physical and mental health and the public welfare of the citizens of South Carolina that a uniform day of rest, insofar as practical, be observed; and

Whereas, the present penalty provisions relating to working on the first day of the week, commonly called Sunday, are not severe enough to promote compliance with the existing laws; and

Whereas, some of the present statutory provisions for such day of rest are outmoded and should be amended in the light of present-day conditions and activities to clarify specifically some of the businesses or commercial operations which are recognized as a necessity or accepted as essential to our present way of life, and to permit, but to restrict to a reasonable degree, the operation of certain businesses or types of commerce so as to provide a uniform day of rest for the greatest number of persons. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 64-2, 1952 Code, amended—unlawful to work on Sunday.—Section 64-2, Code of Laws of South Carolina, 1952, is amended by striking it in its entirety and inserting in lieu thereof the following :

“Section 64-2. On the first day of the week, commonly called Sunday, it shall be unlawful for any person to engage in worldly work, labor, business of his ordinary calling or the selling or offering to sell, publicly or privately or by telephone, at retail or at wholesale to the consumer any goods, wares or merchandise or to employ others to engage in work, labor, business or selling or offering to sell any goods, wares or merchandise, excepting work of necessity or charity.”

SECTION 2. Work which may be performed on Sunday.—Section 64-2 shall not apply to the following: the operation of radio or television stations nor to the publication and distribution of

newspapers, nor to the sale of newspapers, books and magazines; nor to the sale or delivery of heating, cooling, refrigerating or motor fuels, oils or gases or the installation of repair parts or accessories for immediate use in connection with motor vehicles, boats, aircrafts or heating, cooling or refrigerating systems; nor to transportation by air, land or water of persons or property; nor to public utilities or sales usual or incidental thereto; nor to the operation of public lodging or eating places (including food caterers) nor to the sale of emergency food needs at open air markets and grocery stores which do not employ more than three persons including the owners or proprietors at any one time; nor to the sale of drugs, medicines, surgical or medical aids, supplies and equipment, or to the sale of cosmetics, toilet articles, or personal health or hygiene supplies and aids; nor to the sale of flowers, plants, seeds and shrubs; nor to the sale of prepared tobaccos, soft drinks, confections, ice creams, ices, novelties, souvenirs, fish bait or swimwear, nor to any farming operations necessary for the preservation of agricultural commodities.

SECTION 3. Sale of certain items on Sunday prohibited.—

The sale or offer to sell of the following items on Sunday is prohibited: clothing and clothing accessories (except those which qualify as swimwear, novelties or souvenirs); housewares, china, glassware and kitchenware; home, business and office furnishings and appliances; tools, paints, hardware, building supplies and lumber; jewelry, silverware, watches, clocks, cameras (but not including films, batteries and flashbulbs); luggage, musical instruments, recorders, recordings, radios, television sets, phonographs, record players or so-called Hi-Fi or Stereo sets or equipment; sporting goods (except when sold on premises where sporting events and recreational facilities are permitted); yard or piece goods; automobiles, trucks and trailers. No inference shall arise from the foregoing enumeration that either the sale or the offering for sale on Sunday of items or articles not mentioned is permitted.

SECTION 4. Penalties.—A violation of any of the provisions of Section 64-2 shall be punished by a fine of not less than fifty dollars nor more than two hundred fifty dollars in the case of the first offense, and by a fine of not less than one hundred dollars nor more than five hundred dollars for each and every subsequent offense. Each separate sale, offer or attempt to sell on Sunday, and each Sunday a person is engaged in other work, labor or business in violation of Section 64-2, or employs others to be so engaged, shall constitute a separate offense.

SECTION 5. Sunday work declared nuisance—injunction—time off to attend church.—The doing of any worldly work or labor, business of his ordinary calling, or the selling or offering for sale of any goods, wares or merchandise contrary to Section 64-2 is declared to be a public nuisance and any state, county or municipal law enforcement officer may apply to any court of competent jurisdiction for and may obtain an injunction restraining such operation, work, labor, sale or offering for sale. *Provided*, that any employee in a retail store where there are more than three employees shall upon request of said employee be granted time off to attend service allowing one hour for preparing to go and traveling to church and one hour after service for returning therefrom.

SECTION 6. Not to affect certain businesses.—The provisions of this act shall not be applicable to or affect the carrying on of any business or the rendering of any service which was lawful on the effective date of this act.

SECTION 7. Saving clause.—If any part of this act shall be held unconstitutional such unconstitutionality shall not affect the remainder of this act.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R989, S501)

No. 851

An Act To Amend Section 15-274 Of The 1952 Code, As Amended, Relating To Terms Of Court In The Sixth Judicial Circuit, So As To Make Further Provision Therefor In York County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (4) of Section 15-274, 1952 Code, amended—terms of court for York County.—Item (4) of Section 15-274 of the 1952 Code, as amended, is further amended to read as follows:

“(4) York County.—The Court of General Sessions for York County shall be held at York on the first Monday in January, the third Monday in March, the first Monday in May, the second Monday

in July, the second Monday in September, the fourth Monday in November, the fifth Monday in November when there is a fifth Monday in November, the first Monday in December and the third Monday in December. The court of common pleas for the county shall be held at York on the fourth Monday in January, the fourth Monday in February, the fourth Monday in March, the third Monday in April, the first Monday in June, the fourth Monday in September, the third Monday in October and the second Monday in November. A term of the court of common pleas for the county shall follow immediately upon the adjournment of any term of the court of general sessions and when such a term so follows in the same week in which a term of the court of general sessions has been held the venire called for the court of general sessions shall also serve as the venire for the court of common pleas."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R990, S529)

No. 852

An Act To Provide For The Liquidation, Rehabilitation, Reorganization And Conservation Of Insurance Companies.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Application of act.—This act shall, except as otherwise expressly stated, apply to every company doing, attempting to do, or representing itself as doing an insurance business in this State, or which is in the process of organizing as an insurance company.

SECTION 2. Definitions.—As used in this act, unless the context or subject matter requires otherwise, the following words and terms have the meaning herein ascribed to them, respectively:

(1) "Delinquency proceeding" means any action or proceeding commenced against an insurance company for the purpose of liquidating, rehabilitating, reorganizing or conserving such company.

(2) "Receiver" means and includes receiver, liquidator, rehabilitator, or conservator as the context may require.

SECTION 3. Where proceedings to be brought.—Such action or proceeding may be brought before the circuit court in any county of this State.

SECTION 4. Delinquency proceedings.—Delinquency proceedings may be commenced by the Chief Insurance Commissioner against any domestic insurance company whenever such company:

(1) Has liabilities exceeding its assets, or is otherwise deemed or found to be insolvent or in danger of insolvency by the Chief Insurance Commissioner, following examination into the affairs of the company;

(2) Has refused to submit its books, papers, accounts, records or affairs to the reasonable inspection of the Chief Insurance Commissioner or his representative;

(3) Has refused or failed to comply with any order of the Chief Insurance Commissioner to make good within the time prescribed any impairment of its minimum surplus if a company other than a stock company;

(4) Has transferred or attempted to transfer substantially its entire property, or entered into any transaction the effect of which is to merge substantially its entire property, or business, in the property or business of any other company without having first obtained the written approval of the Chief Insurance Commissioner;

(5) Has removed or attempted to remove, or is about to remove from this State substantially its entire property or business, or any material part thereof necessary for the continued conduct of its business so as to endanger the interests of its policyholders, stockholders, or members;

(6) Has reinsured all or substantially all of its risks without having first obtained the written approval of the Chief Insurance Commissioner;

(7) Is found, after an examination, to be in such condition that its further transaction of business will be hazardous to its policyholders, or to its creditors, members, subscribers, stockholders, or to the public;

(8) Has willfully violated its charter or any law of this State;

(9) Has an officer, director or manager who has refused to be examined under oath concerning its affairs;

(10) Has had substantially its entire property, or any material part thereof, sequestered in any other state or country;

(11) Has failed to pay a final judgment rendered against it in any state upon any insurance contract issued or assumed by it within sixty days after the judgment became final, or within sixty days after time for taking an appeal has expired, or within sixty days after dismissal of an appeal before final determination, whichever date is the later.

SECTION 5. Applicant for receivership—procedure of.—No circuit court shall appoint a receiver for any domestic insurance company on application of any person other than the Chief Insurance Commissioner until the applicant for such receivership shall have proceeded as follows:

(1) The applicant for such receivership shall, before presenting his complaint or petition to the court for action thereon, present a copy thereof to the Chief Insurance Commissioner for action thereon, as hereinafter set forth, and give reasonable notice to the insurance company to be affected thereby that such has been lodged with the Chief Insurance Commissioner.

(2) The insurance company affected thereby shall have ten days after the service of such notice within which to lodge with the Chief Insurance Commissioner a copy of the answer which it proposes to file, and thereupon the Chief Insurance Commissioner shall proceed to investigate and within a reasonable time determine the merits of such application for receivership, and shall fix a time for the hearing of such investigation of the matters involved in the petition or complaint.

(3) The Chief Insurance Commissioner, after completing such investigation, shall recommend to the court that the receiver be or not be appointed. The court shall then consider the application for a receiver.

SECTION 6. Procedure for order to show cause why receiver should not be appointed.—Whenever the Chief Insurance Commissioner finds that any of the grounds for rehabilitation or liquidation of a domestic insurance company set out in Section 4 exist, he may apply to the circuit court in any county for an order directing such company to show cause on or before a designated date why a receiver should not be appointed for the company, or why an order should not be entered authorizing the Chief Insurance Commissioner to proceed with the delinquency proceedings of the company or to take any other appropriate steps authorized herein. Such application and order may include such other relief as the nature of the case and the interests of the policyholders, creditors, stockholders and members of the com-

pany and of the public may require. A copy of the application and the order to show cause shall be served upon the company by registered or certified mail and shall constitute legal process in lieu of any summons or process otherwise provided by law.

On or after the return of the order to show cause, and after a full hearing, the court shall either deny the application, or appoint the Chief Insurance Commissioner as receiver for the company and authorize him to proceed with the rehabilitation or liquidation of the company or to take such other appropriate proceedings as he deems advisable.

SECTION 7. Delinquent company to be charged fee when Insurance Commissioner appointed receiver.—In all instances in which the Chief Insurance Commissioner is appointed receiver the delinquent company shall be charged a fee in the amount of up to five per cent of its total assets coming into the possession of such receiver. This fee shall be in addition to other administrative expenses incidental to the receivership and shall be treated as any other revenue accruing to the State.

SECTION 8. Powers of Insurance Commissioner concerning rehabilitation or liquidation of a company.—Whenever the Chief Insurance Commissioner is authorized to rehabilitate or liquidate a company or to take such other steps which he deems advisable in connection with the affairs of the company as authorized herein, he shall be vested by law with the title to all of the property, contracts and rights of action of the company as of the date of the court order referred to in Section 6. The filing of such order in the office of any clerk of court in this State shall impart the same notice that any other evidence of title duly filed would impart.

SECTION 9. Insurance Commissioner may employ personnel.—The Chief Insurance Commissioner shall have power to appoint special deputies as his agents and to employ such counsel and other persons for the purpose of efficiently conducting such rehabilitation or liquidation, and may delegate to each of them the powers vested in him. The compensation of such special deputies, counsel, and other persons, and all expenses of taking possession of and conducting the rehabilitation or liquidation of any such company shall be fixed by the Chief Insurance Commissioner and shall, on his certification, be paid out of the assets of such company.

SECTION 10. Insurance Commissioner may borrow money.—

For the purpose of facilitating the rehabilitation, liquidation, conservation or dissolution of an insurance company pursuant to this act, the Chief Insurance Commissioner as receiver, subject to the approval of the court, may borrow money and execute, acknowledge and deliver notes or other evidences of indebtedness therefor and secure the repayment of the same by the mortgage, pledge, assignment, transfer in trust, or hypothecation of any or all of the property, real, personal or mixed, of such company, and shall have power to take all other action necessary and proper to consummate any such loans and to provide for the repayment thereof. No such note or other evidence of indebtedness made or executed by the Chief Insurance Commissioner shall impose upon him any liability except with respect to the assets and other property of such company.

SECTION 11. Rights and liabilities of company and others.—

The rights and liabilities of the company and of its creditors, policyholders, stockholders, members and all other persons interested in the property and assets of the company shall, unless otherwise provided by statute, be fixed as of the date of the entry of the order directing the liquidation of such company. The rights of claimants holding contingent claims on such date shall be determined as hereinafter provided.

SECTION 12. Preference not to be given creditors.—Any transfer of or lien upon the property of an insurance company which is made or created within four months prior to the institution of delinquency proceedings under this act with the intent of giving to any creditor or of enabling him to obtain a greater percentage of his debt than any other creditor of the same class and which is accepted by such creditor having reasonable cause to believe that such a preference will occur, shall be voidable. Every director, officer, employee, stockholder, member, subscriber, and any other person acting on behalf of such company who shall be concerned in any such act or deed, and every person receiving thereby any property of such company or the benefit thereof, shall be personally liable therefor and shall be bound to account to the Chief Insurance Commissioner as receiver. The court, upon application of the Chief Insurance Commissioner, as receiver, in any proceeding under this act, may void any transfer of or lien upon the property of a company

which any creditor, stockholder, subscriber or member of such company might have voided, and the Chief Insurance Commissioner, as receiver, may recover the property so transferred unless such person was a bona fide holder for value prior to the date of the institution of delinquency proceedings under this act. Such property or its value may be recovered from anyone who has received it except as a bona fide holder for value as herein specified.

SECTION 13. Salaries of employees to be preferred.—Compensation actually owing to employees other than officers of an insurance company for services rendered within three months prior to the commencement of a proceeding against the company under this act, but not exceeding three hundred dollars for each such employee, shall be paid prior to the payment of any other debt or claim, and in the discretion of the Chief Insurance Commissioner, as receiver, with the approval of the court, may be paid as soon as practicable after the proceeding has commenced; except that funds sufficient for the expenses of administration may similar priority which may be authorized by law as to wages or compensation be reserved at all times. Such priority shall be in lieu of any other compensation of such employees.

SECTION 14. Mutual debts and credits to be set off.—In all cases of mutual debts or mutual credits between the company and another person in connection with any action or proceeding under this act, such credits and debts shall be set off and the balance only shall be allowed or paid, except as provided herein. No offset shall be allowed in favor of any such person where (a) the obligation of the company to such person would not at the date of the entry of any rehabilitation or liquidation order entitle him to share as a claimant in the assets of the company, or (b) the obligation of the company to such person was purchased by or transferred to such person with a view of its being used as an offset, or (c) the obligation of such person is to pay an assessment levied against the members of a mutual company or against the subscribers of a reciprocal insurer, or is to pay a balance upon a subscription to the capital stock of a stock company.

SECTION 15. Insurance Commissioner to make reports.—The Chief Insurance Commissioner, as receiver, shall file with the court annually a report of the affairs of the company in such form as the court shall prescribe, and shall file with the clerk of court copies

of all reports, petitions, orders and other pertinent papers dealing with the delinquency proceeding.

SECTION 16. Annual report — further.—The Chief Insurance Commissioner shall include in his annual report the names of all companies against which delinquency proceedings are pending under the provisions of this act, and the names and addresses of the deputies and attorneys of such companies. The report shall show whether or not such companies have resumed business or have been liquidated, and shall contain such other matter as will inform the policyholders, creditors, stockholders, members and the public with the current status of the proceeding with respect to each such company.

SECTION 17. Insurance Commissioner to prepare plans for rehabilitation or mutualization of companies.—If at any time the Chief Insurance Commissioner finds that it is to the best interests of the policyholders and creditors of a delinquent company in his hands for rehabilitation or liquidation that rehabilitation or mutualization of such company is desirable or necessary, it shall prepare a plan of rehabilitation or mutualization. If at any time the Chief Insurance Commissioner reports to the court that it is to the best interests of the policyholders and creditors of such company that rehabilitation or mutualization of such company be had, he may submit a plan of rehabilitation or mutualization to the court for its approval. Any such plan may include a provision imposing liens upon the net equities of policyholders of the company, and, in the case of life companies, a provision imposing a moratorium upon the loan or cash surrender values of the policies for such period and to such extent as may be necessary. A hearing on such plan shall be had and notice thereof given in such manner as is prescribed by the court and after such hearing the plan may be approved or disapproved, or modified in such manner and to such extent as the court deems best.

SECTION 18. Termination of rehabilitation proceedings—liquidation.—If at any time it shall appear to the Chief Insurance Commissioner or to the court, as the case may be, that the purposes of a proceeding for rehabilitation have been accomplished and that the company can safely and properly resume possession of its property and the conduct of its business, an order may be entered terminating the rehabilitation proceeding and permitting the company to resume possession of its property and the management and conduct of its affairs. No such order shall be entered until a full hearing

is had thereon after notice given in such manner as the Chief Insurance Commissioner or the court, as the case may be, shall prescribe. If at any time it appears to the Chief Insurance Commissioner or to the court, as the case may be, that further efforts to rehabilitate the company would be useless, an order of liquidation may be entered.

SECTION 19. Liquidation further.—Proceedings in liquidation of the business of the United States branch of an alien insurance company having trustee assets in this State may be instituted and conducted in the manner prescribed herein for domestic companies, except that only the assets of the business of such United States branch shall be included therein.

SECTION 20. Proceedings against companies for conservation of assets.—Proceedings against a foreign or alien insurance company for the conservation of the assets of such company within this State may be instituted and conducted in the manner prescribed in this act for delinquency proceedings against a domestic company on any one or more of the applicable grounds specified in Section 4. The order of conservation shall direct the Chief Insurance Commissioner forthwith to take possession of the assets of the company within this State and conserve such assets for the benefit of its creditors and for such other purpose as the nature of the cause and the interests of its policyholders, creditors, members, stockholders or the public may require. If the laws of any other state or country provide for the conservation of the assets within such state or country of a foreign or alien company and the liquidation of the business of such company in such state or country and the distribution of such assets to creditors and policyholders and others entitled thereto, then the Chief Insurance Commissioner when appointed in this State to conserve the assets within this State of any company, domiciled in such other state or country may proceed to liquidate the business of such company in this State and distribute such assets to those entitled thereto. In all other cases the rights, powers and duties of the Chief Insurance Commissioner with respect to the assets of a foreign or alien insurance company shall be ancillary to the rights, powers and duties imposed upon any receiver or other person, if any, in charge of the property, business and affairs of such company in its domiciliary state or country.

SECTION 21. Liquidation order—filing of.—In every case in which an insurance company which has been placed in receiver-

ship is liquidated, upon dissolution of the receivership and dismissal of the receiver from further responsibility by order of the circuit court, a copy of the order shall forthwith be filed with the Secretary of State and the charter of the liquidated company shall be cancelled.

SECTION 22. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R991, S531)

No. 853

An Act To Provide That Any Area Owned Entirely By An Established Church Or Religious Group May Be Annexed To A Municipality Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Annexation of church property by municipalities.—Any area owned entirely by an established church or religious group which is contiguous to a city or town may be annexed to such city or town upon the petition of the governing body of such church or religious group being submitted to the governing body of a city or town. Upon agreement of the governing body of the city or town to accept the petition, and the passage of an ordinance to that effect, the annexation shall be complete and the election provided for in Sections 47-14 through 47-17 of the 1952 Code shall not be required.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R992, S603)

No. 854

An Act To Amend Section 21-103, Of The 1952 Code, As Amended, Relating To Determination Of Local Controversies And Appeals Therefrom, So As To Provide For A Specific Procedure For Appealing Certain Decisions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-103, 1952 Code, amended—Section 21-103 (7) added—appeals further.—Section 21-103, of the 1952 Code, as amended by Act 662 of the Acts of 1956, is further amended by adding to Section 1 of the act the following :

“Section 21-103(7). Any provision of this section to the contrary notwithstanding, the decision of any board of trustees of any school district to operate or not to operate a school or schools shall not be subject to the appellate procedures specified in this section. Any such decision may be appealed directly to the Court of Common Pleas of the county in which any school to be operated or not to be operated is located ; *provided*, however, that questions considered by the court upon such appeal shall be limited to questions of law.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R993, S637)

No. 855

An Act To Amend Item (5) Of Section 28-1214, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Use Of Seines In The Waters Of Lake Marion, Lake Moultrie, Diversion Canal And The Tail Canal, So As To Limit The Amount Of Hickory Shad To Be Used For Bait That May Be Caught In Any One Day.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (5) of Section 28-1214, 1952 Code, amended—limit for one day.—Item (5) of Section 28-1214, Code of Laws of South Carolina, 1952, as last amended by Act No. 133 of the Acts of 1961, is further amended by adding at the end thereof the following : “No person shall catch more than one hundred pounds of such fish in any one day.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R995, S649)

No. 856**An Act To Set The Terms Of Court In The Fifteenth Judicial Circuit And To Repeal Items (1) And (4) Of Section 15-282, Code Of Laws Of South Carolina, 1952, Relating To The Terms Of Court In Horry County And Georgetown County In The Twelfth Judicial Circuit.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of court for Fifteenth Judicial Circuit.—The courts of the Fifteenth Judicial Circuit shall be held as herein-after provided :

(1) Horry County—Court of General Sessions for Horry County shall be held at Conway on the first Monday in March for two weeks, on the first Monday in June for two weeks and on the first Monday in October for two weeks. The Court of Common Pleas for Horry County shall be held at Conway on the first Monday in January for two weeks, on the first Monday in February for two weeks, on the first Monday in May for two weeks, on the first Monday in September for two weeks, on the first Monday in November for one week and on the second Monday in December for one week.

(2) Georgetown County—The Court of General Sessions for Georgetown County shall be held at Georgetown on the third Monday in March for one week, on the fourth Monday in June for one week, on the third Monday in September for one week and on the first Monday in December for one week. The Court of Common Pleas for Georgetown County shall be held at Georgetown on the fourth Monday in January for one week, on the first Monday in April for two weeks, on the fourth Monday in May for one week, on the fourth Monday in September for one week, on the third Monday in October for one week and on the second Monday in November for two weeks.

SECTION 2. Items (1) and (4) of Section 15-282, 1952 Code, repealed.—Items (1) and (4) of Section 15-282 of the 1952 Code are repealed.

SECTION 3. Time effective.—This act shall take effect May 1, 1962.

Approved the 7th day of April, 1962.

(R996, S530)

No. 857**An Act To Provide For Deposits Required Of Insurance Companies Transacting Business In This State.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Deposits required of insurance companies.—The Chief Insurance Commissioner shall require every domestic, foreign or alien insurance company, other than fraternal benefit societies, transacting, or desiring to transact, business in this State to:

(a) deposit with him securities which (1) qualify as legal investments under the laws of this State for public sinking funds; (2) are not in default as to principal or interest; and (3) have a current market value of not less than ten thousand dollars nor more than one hundred thousand dollars, as determined by the Commissioner pursuant to the standards promulgated by him; or

(b) file with him a surety bond, approved by the Commissioner, and with such conditions as he may require, in the penal sum of not less than ten thousand dollars nor more than one hundred thousand dollars. The surety shall be licensed to transact the business of suretyship in this State, and shall not be either directly or indirectly under the same ownership or management as the principal on the bond.

The Commissioner shall prescribe the amount, within the limits of this section, of the securities or the penalty of the surety bond required, and he may subsequently increase or decrease the amount required.

SECTION 2. To be held as security for claims.—The bonds or other securities required by Section 1 of this act shall be held as security for the payment of claims against any such company arising out of its failure to meet obligations incurred in this State. Policyholders ratably and without preference and general creditors ratably, without preference, and subordinate to the claims of policyholders, shall have a lien on such bonds or other securities for the amount of their claim.

SECTION 3. Deposits not necessary when made with other states.—If any insurance company shall deposit with an officer or official body of any other state or states for the protection of all its policyholders, or all its policyholders and creditors, acceptable securities, as hereinafter defined, not in default as to principal or

interest and of a current market value of not less than two hundred thousand dollars, and shall deliver to the Chief Insurance Commissioner a certificate to such effect, duly authenticated by the appropriate state official holding the deposit, then the company shall be relieved of making the deposit required by Section 1 of this act.

For the purpose of this section acceptable securities are defined as bonds of the United States or of any state of the United States, or of any municipality or county thereof, upon which is pledged the full faith and credit of the appropriate political division, or bonds or notes secured by mortgages or deeds of trust on otherwise unencumbered real estate of a market value of not less than double the amount loaned, or such other securities as may be approved by the Chief Insurance Commissioner.

SECTION 4. Voluntary deposits to comply with laws of other states.—Any domestic company, in order to comply with the laws of any other state or territory of the United States, may make a voluntary deposit with the Chief Insurance Commissioner in excess of the amount required by Section 1 of this act and such excess deposit shall be subject to all other applicable provisions of the laws of this State relating to the deposits of insurance companies, except that such excess deposit shall be for the protection of all the company's policy obligations, ratably and without preference, notwithstanding the provisions of Section 2 of this act.

SECTION 5. Exchange of deposited securities.—A depositing insurance company may from time to time exchange for the deposited securities, or any of them, other securities eligible for deposit under the provisions of this act if, in the opinion of the Chief Insurance Commissioner, the aggregate value of such deposit will not thereby be reduced below the amount required by law.

SECTION 6. Interest on deposited securities.—The Chief Insurance Commissioner at the time of receiving any bonds or other securities deposited under the provisions of this act shall give to the company authority to collect the interest thereon for its own use. This authority shall continue in force until the company fails to pay any of its liabilities for which the deposit is security. In case of such failure the party charged with payment of the interest shall be notified that thereafter the interest shall be payable to the Chief Insurance Commissioner to be applied, if necessary, to the payment of such liabilities.

SECTION 7. Principal of deposited securities.—When the principal of any securities deposited under the provisions of this act is paid to the Chief Insurance Commissioner he shall pay the money so received to the company; *provided*, that if the securities were required to be deposited under the provisions of Section 1 of this act the payment shall not be made until the company deposits an equal amount of other securities of the character required for similar deposits. If the company fails to deliver to the Commissioner within thirty days after receiving notice of this requirement the securities necessary to maintain its required deposit he may invest the money in other securities of the required character and hold the same as he held those which were paid.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1000, S647)

No. 858

An Act To Amend Section 15-1801, Code Of Laws Of South Carolina, 1952, As Amended, Establishing The Office Of Master In Certain Counties And Section 10-1404, Code Of Laws Of South Carolina, 1952, Abolishing Special Referees In Counties Wherein The Office Of Master Exists, So As To Provide That References In Dillon County May Be Made To Either The Master Or A Special Referee.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-1801, 1952 Code, amended—certain counties not to have referees—Dillon County to have master.—Section 15-1801 of the 1952 Code, as last amended by Act No. 77 of 1959, is further amended by striking it out and inserting in lieu thereof the following:

“Section 15-1801. The office of referee and the practice of referring cases to referees as provided in this Code shall not exist or be used in the Counties of Abbeville, Aiken, Barnwell, Charleston, Chesterfield, Florence, Greenville, Horry, Kershaw, Lee, Richland, Saluda, Spartanburg and Sumter. In these counties the office of master is established. *Provided*, that in each of the counties of Berkeley and Dillon

there is hereby established the office of master who shall hear and determine only such cases as are referred to him as master."

SECTION 2. Section 10-1404, 1952 Code, amended—references in Dillon County.—Section 10-1404 of the 1952 Code is amended by adding at the end thereof the following proviso: "*Provided*, that in Dillon County the reference may be made to either the master or to a special referee as provided in Section 10-1416."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1001, S659)

No. 859

An Act To Amend Article 43, Chapter 5, Code Of Laws Of South Carolina, 1952, Relating To The Nomination Of Magistrates Of The Magisterial Districts In Union County, So As To Add Thereto A New Section Which Shall Be Section 43-1062 Which Shall Provide For The Nomination Of Magistrates In The Primary Of Each Election Year.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 43-1062 added—nomination of magistrates in Union County.—Article 43, Chapter 5, Code of Laws of South Carolina, 1952, is amended by adding thereto a new section which shall be section 43-1062 as follows:

"Section 43-1062. The magistrates of Union County shall be nominated in the primary held on the second Tuesday in June of each election year. Each magistrate shall be a resident of the magisterial district that he represents, however, the magistrates shall be nominated by all of the qualified electors of Union County at large."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1002, S660)

No. 860

An Act To Amend Section 14-3461, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Election And Terms Of The Township Commissioners In Union County So As To Provide That They Shall Be Residents Of The Township Which They Represent and Shall Be Elected By The Qualified Electors Of The County At Large.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-3461, 1952 Code, amended—**Union County Township Commissioners—elections—terms—vacancies.**—Section 14-3461 of the 1952 Code, as last amended by an act of 1962 bearing Ratification No. 753, is further amended to provide that the eight township commissioners in Union County shall be elected by the qualified electors of the county at large, so that when further amended the section shall read as follows:

“Section 14-3461. Beginning with the general election of 1954 and each general election thereafter there shall be eight township commissioners of Union County. The commissioners shall be residents of the township which they represent and shall be elected by the qualified electors of the county at large. The terms of office of such township commissioners shall begin on the first Monday in December following the general election at which they are elected, and shall continue for a period of two years and until their successors are duly elected and qualified. Vacancies on the board of township commissioners shall be filled by appointment of the Governor upon the unanimous recommendation of the Union County Legislative Delegation, for the unexpired portion of the term only.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1004, S648)

No. 861

An Act To Amend Section 15-266, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms Of Court In The Fourth Judicial Circuit, So As To Abolish The July Term Of Court Of Common Pleas In Darlington County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subparagraph (2) of Section 15-266, 1952 Code, amended—terms of court in Fourth Judicial Circuit.—Subparagraph (2) of Section 15-266 of the 1952 Code, as last amended by Act No. 183 of the Acts of 1959, is further amended by striking on line eleven the following : “the second Monday in July for two weeks,” so that the subparagraph when amended shall read as follows :

“(2) Courts of Common Pleas: At Chesterfield for Chesterfield County on the first Monday in January, the third Monday in February, the third Monday in April, the fourth Monday in May, the first Monday in September, the fourth Monday in October and the fourth Monday in November ; at Bennettsville for Marlboro County on the third Monday in January, the first Monday in March, the first Monday in April, the third Monday in May, the second Monday in October and the first Monday in December ; at Darlington for Darlington County on the fourth Monday in January, the fourth Monday in March, the second Monday in April, the second Monday in May, the third Monday in September and the second Monday in December ; at Dillon for Dillon County on the fourth Monday in February, the first Monday in May, the second Monday in September, the third Monday in October and the third Monday in November.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1007, H1016)

No. 862

An Act To Provide That The Neglect Of A Child Or Helpless Person By The Legal Custodian Thereof Shall Be Unlawful And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful for legal custodian to neglect child or helpless person.—Any person having the legal custody of any child or helpless person, who shall, without lawful excuse, refuse or neglect to provide the proper care and attention for such child or helpless

person, so that the life, health or comfort of such child or helpless person is endangered or is likely to be endangered, shall be guilty of a misdemeanor and shall be punished within the discretion of the court.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1008, H1021)

No. 863

An Act To Amend Section 20-303, Code Of Laws Of South Carolina, 1952, Relating To The Obligation Of A Man To Support His Wife And Minor Unmarried Children, So As To Provide That A Man Shall Support His Minor Unmarried Children, Both Legitimate And Illegitimate, And To Repeal Sections 20-305 Through 20-309, Code Of Laws Of South Carolina, 1952, Relating To The Support Of Bastard Children.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 20-303, 1952 Code, amended—penalty for failure to support wife and children.—Section 20-303, Code of Laws of South Carolina, 1952, is amended by adding on line 3 between the words “unmarried” and “child” the following: “legitimate or illegitimate” and by adding on the last line between the words “unmarried” and “child” the following: “legitimate or illegitimate”, so that when amended the section shall read as follows:

“Section 20-303. Any able-bodied man or man capable of earning or making a livelihood who shall, without just cause or excuse, abandon or fail to supply the actual necessities of life to his wife or to his minor unmarried legitimate or illegitimate child or children dependent upon him shall be guilty of a misdemeanor and, upon conviction thereof, shall be imprisoned for a term of not exceeding one year or be liable to a fine of not less than three hundred dollars nor more than fifteen hundred dollars, or both, in the discretion of the court. If a fine be imposed the court may in its discretion order

that a portion of the fine be paid to a proper and suitable person or agency for the maintenance and support of the defendant's wife or minor unmarried legitimate or illegitimate child or children."

SECTION 2. Sections 20-305 through 20-309, 1952 Code, repealed.—Sections 20-305 through 20-309, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1009, H1026)

No. 864

An Act To Prescribe The Procedure For The Taking Of Guilty Pleas And Sentencing In Cases Where the Punishment Is By Law Affected By The Jury Recommending Mercy.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sentencing in cases of guilty pleas.—In all cases where by law the punishment is affected by the jury recommending the accused to the mercy of the court, and a plea of guilty is accepted with the approval of the court, the accused shall be sentenced in like manner as if the jury in a trial had recommended him to the mercy of the court.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1011, H1834)

No. 865

An Act To Amend Act 902 Of 1956, As Amended, Relating To The Authority Of Certain Counties To Promulgate Reasonable Rules And Regulations For Building Construction, So As To

Provide That Rules And Regulations Shall Not Prohibit For Lack Of License The Performance Of Certain Work Upon Property By The Owner Thereof And To Provide For The Construction Of The Words "By Employees Of The Owner" And Other Word-ing And To Provide That Relief From Licensing Provided In Section 2 Of The Act Shall Not Apply To Certain Persons.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 902 of 1956 amended—hearing concerning rules and regulations—when licenses not required—definitions.—Act 902 of 1956, as amended, is further amended by adding after the word "prohibit" on line 4 of Section 2 of Act 324 of 1957 "for lack of license" and by adding at the end of Section 2 of Act 324 of 1957 the following: "The words 'by employees of the owner', as used in this section, shall not be construed to include any contractor employed by the owner; nor shall the wording in this section be interpreted so as to abrogate or in any way modify the permit, inspection or other sections and provisions of this act; nor shall the relief from licensing provided by this section apply to a builder, developer or contractor engaged in the construction of buildings for re-sale.", so that when amended the section shall read as follows:

"Section 2. When the governing body shall determine that such rules and regulations are necessary in any area or section of the county lying outside of the limits of incorporated municipalities, it shall hold a public hearing, after notice thereof (describing the area or section) shall have been published in a newspaper of general circulation in the county at least once a week for three successive weeks, for the purpose of considering the necessity of such rules and regulations, the type, coverage and contents thereof, and the exact extent of the area or section proposed to be covered thereby, at which hearing any and all interested parties shall be entitled to appear and be heard. After such hearing shall have been had, and not before, the governing body may provide and prescribe by resolution or ordinance the rules and regulations applicable in and to such area or section. *Provided*, however, that no rule or regulation shall require a license for, or prohibit for lack of license, the performance of any kind of construction, alteration, repair, electrical wiring installation or other work upon any property by the owner thereof, or (a) by employees of the owner or members of the family of the owner; or (b) by or for public utility corporations subject to regulation by the duly con-

stituted authorities of the Public Service Commission and where such property is required as a part of the plant of any such corporation and is so utilized in rendering its service to the public. The words 'by employees of the owner', as used in this section, shall not be construed to include any contractor employed by the owner; nor shall the wording in this section be interpreted so as to abrogate or in any way modify the permit, inspection or other sections and provisions of this act; nor shall the relief from licensing provided by this section apply to a builder, developer or contractor engaged in the construction of buildings for resale."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1012, H1364)

No. 866

An Act To Add Section 20-122 To The Code Of Laws Of South Carolina, 1952, So As To Provide That Reports Of Divorces And Annulments Shall Be Filed With The Bureau Of Vital Statistics Of The State Board Of Health.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 20-122 added—reports of divorces and annulments to be filed with State Bureau of Vital Statistics.—Section 20-122 is added to the Code of Laws of South Carolina, 1952, to read as follows :

"Section 20-122. Whenever a divorce or annulment is decreed by a court having jurisdiction, the clerk of court shall, no later than thirty days following the filing of the final decree, send a report to the Registrar of the Bureau of Vital Statistics of the State Board of Health showing such information as may be required on a certificate to be furnished by the Bureau of Vital Statistics of the State Board of Health."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect July 1, 1961.

Approved the 7th day of April, 1962.

(R1013, H2045)

No. 867

An Act To Amend Section 57-308, Code Of Laws Of South Carolina, 1952, Relating To The Recording Of Agreements Between Vendors Or Bailors And Vendees Or Bailees Wherein The Vendor Or Bailor Reserves An Interest In The Subject Property, So As To Provide For Priority Of Recorded Mortgages On The Subject Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 57-308, 1952 Code, amended—agreements between vendors and bailors when interest in property in reserved.—Section 57-308, Code of Laws of South Carolina, 1952, is amended by adding after the first sentence the following: "In the case of a subsequent mortgagee of the property for valuable consideration without notice, the instrument evidencing such subsequent mortgage must be filed for record in order for its holder to claim under this section as a subsequent mortgagee for value without notice and the priority shall be determined by the time of filing for record.", so that when amended the section shall read as follows:

"Section 57-308. Every agreement between the vendor and vendee or the bailor and bailee of personal property whereby the vendor or bailor shall reserve to himself any interest in the property shall be null and void as to subsequent creditors (whether lien creditors or simple contract creditors) or purchasers for a valuable consideration without notice unless such agreement be reduced to writing and recorded in the manner provided by law for the recording of mortgages. In the case of a subsequent mortgagee of the property for valuable consideration without notice, the instrument evidencing such subsequent mortgage must be filed for record in order for its holder to claim under this section as a subsequent mortgagee for value without notice and the priority shall be determined by the time of filing for record. But nothing herein contained shall apply to livery stable keepers, innkeepers or other persons letting or hiring property for

temporary use or for agricultural purposes or depositing such property for the purpose of repairs or work or labor done thereon or as a pledge or collateral to a loan.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1016, H2177)

No. 868

An Act To Amend Section 46-104, Code Of Laws Of South Carolina, 1952, Relating To The Appointment Of The Chief Highway Commissioner As Attorney Of Nonresidents For Service Of Process, So As To Provide That The Chief Highway Commissioner Shall Be Attorney Of Nonresidents For Service Of Process In Proceedings Against The Nonresidents Growing Out Of Any Accident Or Collision Anywhere Within This State.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46-104, 1952 Code, amended—Chief Highway Commissioner to be attorney of nonresidents for service of process.—Section 46-104, Code of Laws of South Carolina, 1952, is amended by inserting after the words “roads of this State” on line 5, and after the words “public roads” on line 6, and after the word “roads” on line 14, the words “or anywhere within this State,” respectively, so that when so amended the section shall read as follows:

“Section 46-104. The acceptance by a nonresident of the rights and privileges conferred by the laws in force in this State permitting the operation of motor vehicles, as evidenced by the operation of a motor vehicle by such nonresident on the public highways, the streets of any incorporated municipality or the public roads of this State or anywhere within this State, or the operation by such nonresident of a motor vehicle on any such public highways, streets or public roads or anywhere within this State other than as so permitted or regulated shall be deemed equivalent to the appointment by such nonresident

of the Chief Highway Commissioner or of his successor in office to be his true and lawful attorney upon whom may be served all summons or other lawful process in any action or proceeding against him growing out of any accident or collision in which such non-resident may be involved by reason of the operation by him, for him or under his control or direction, express or implied, of a motor vehicle on such public highways, streets or public roads or anywhere within this State. Such acceptance or operation shall be a signification of his agreement that any such process against him shall be of the same legal force and validity as if served on him personally."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1020, H2187)

No. 869

An Act To Amend Act 654 Of 1956, Relating To A Tax On Certain Motor Vehicles Using The Public Highways Of This State, So As To Provide An Additional Fee On Such Vehicles Not Licensed In This State; To Provide For The Distribution Of Such Fee; To Provide Penalties For Violations; And To Amend Sections 58-1438 And 58-1439 Of The 1952 Code, As Amended, Relating To The License Fees Required Of Motor Vehicle Carriers To Obtain Class D, E and F Certificates, So As To Reduce Such License Fees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6, Article I, of Act 654 of 1956, amended—motor carriers required to obtain registration cards and identification markers.—Section 6, of Article I, of Act 654, Acts of 1956, is hereby amended by striking out all of the section and inserting in lieu thereof the following:

"Section 6. No motor carrier shall operate or cause to be operated in South Carolina any vehicle described in Section 1 of Article I of this act until he has secured from the South Carolina Tax Commission a registration card and an identification marker for each such vehicle. The registration card and the identification marker shall be of such form as the South Carolina Tax Commission may pre-

scribe. The registration card shall be carried in the vehicle for which it was issued at all times when the vehicle is in this State. The identification marker shall be attached or affixed to the vehicle in the place and manner prescribed by the South Carolina State Highway Department so that it is clearly displayed at all times, and such marker shall at all times be kept clearly legible. Each identification marker shall bear a number which shall be the same as the number appearing on the registration card for the same vehicle. The registration cards and markers herein provided for shall be issued for the period commencing July first of each year and shall be valid until June thirtieth, next succeeding. All identification markers shall remain the property of the State of South Carolina."

SECTION 2. Section 7, Article I, of Act 654 of 1956, amended—exceptions in case of emergencies.—Section 7, of Article I, of Act 654, Acts of 1956, is hereby amended by striking out all of the section and inserting in lieu thereof the following:

"Section 7. In an emergency, the South Carolina Tax Commission by letter or telegram may authorize a vehicle to be operated without a registration card or identification marker for a period of not more than ten days. No such authorization shall be issued until the fees provided for in this act have been paid to the Tax Commission."

SECTION 3. Section 8, Article I, of Act 654 of 1956, amended—forms.—Section 8, of Article I, of Act 654, Acts of 1956, is hereby amended by striking out all of the section and inserting in lieu thereof the following:

"Section 8. The South Carolina Tax Commission shall prepare forms for use in making applications for registration cards and identification markers in accordance with this act, and the applicant shall furnish all the information required by such forms before a registration card or identification marker is issued."

SECTION 4. Section 9, Article I, of Act 654 of 1956 amended—fees.—Section 9, of Act 654, of Acts of 1956, is hereby amended by striking out all of the section and inserting in lieu thereof the following:

"Section 9. (a). For issuing each registration card and identification marker, a fee of one dollar shall be paid to the South Carolina Tax Commission at the time of making such application.

(b). Any motor carrier operating motor vehicles in this State which are not licensed in this State shall, in addition to such other

taxes or fees as may be provided by this act, pay to the Tax Commission an annual fee of two dollars and fifty cents per power unit in such form and manner as may be prescribed by the Commission. The fee provided by this subsection shall be paid to the Tax Commission at the time of making application as provided by Subsection (a) of this section. Any person violating the provisions of this subsection shall, upon conviction, be punished as provided in Section 5 of this act.

(c). No card or marker shall be issued by the South Carolina Tax Commission until after the fees provided in this section are paid. The fees provided for by Subsection (a) of this section shall be transferred to the State Highway Fund. The fees provided for by Subsection (b) of this section shall be transferred to the Motor Transportation Fund authorized pursuant to Section 58-1443, of the 1952 Code, and shall be distributed to the incorporated cities and towns of the State in the same manner as provided by Section 58-1443."

SECTION 5. Section 13, Article I, of Act 654 of 1956, amended —penalties.—Section 13, of Article I, of Act 654, Acts of 1956, is hereby amended by striking out all of the section and inserting in lieu thereof the following:

"Section 13. Whenever it is discovered that any person has failed to pay the taxes, penalties, or interest, or any part thereof due pursuant to this act, the South Carolina Tax Commission is hereby authorized to make an assessment with respect thereto and there shall be added to such assessment a penalty of twenty-five per cent thereof and interest at the rate of one-half of one per cent per month or fraction of a month from the time the said tax, penalty, or interest became due until paid. Should any motor carrier fail, neglect, or refuse to file the report or to pay the tax due thereon within thirty days after the date for the filing of such report and the payment of the tax as provided in this act, the South Carolina Tax Commission shall calculate the tax on the basis of the best information available to it and shall assess the tax, together with penalty and interest above provided and, in addition, the penalty provided by Section 5 of this act. In addition to the penalties herein provided, the South Carolina Tax Commission may for good cause suspend or revoke any registration card or identification marker issued pursuant to this act and, thereupon, shall immediately notify the South Carolina Highway Department."

SECTION 6. Section 19, Article I, of Act 654 of 1956, amended—enforcement and administration of act.—Section 19, of Article I, of Act 654, Acts of 1956, is hereby amended by striking out all of the section and inserting in lieu thereof the following:

“Section 19. The South Carolina State Highway Department shall enforce the provisions of this act with respect to the possession of correct registration and display of proper identification markers. The South Carolina Tax Commission shall administer and enforce the provisions of this act, except the provisions respecting possession of registration and display of identification markers.”

SECTION 7. Sections 58-1438 and 58-1439, 1952 Code amended—fees to be reduced.—Sections 58-1438 and 58-1439, of the 1952 Code, as amended, are further amended by adding at the end of each section the following new paragraph:

“The above schedule of fees shall be reduced by twenty-five per cent, commencing July 1, 1962.”

SECTION 8. Time effective.—This act shall take effect July 1, 1962.

Approved the 7th day of April, 1962.

(R1022, H2232)

No. 870

An Act To Amend Section 65-1458, Of The 1952 Code, Relating To The Sales And Use Tax, So As To Provide For Criminal Prosecution And Penalties In Case Of Fraud; To Amend The 1952 Code By Adding A New Section To Article 5, Chapter 15, Of Title 65, So As To Provide For Procedures When A Taxpayer Refuses To File A Return As Required By That Chapter; And To Repeal Section 65-1432.1 Of The 1952 Code, Relating To Procedure When A Taxpayer Refuses To File Or Files A Fraudulent Correction Return.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1458, 1952 Code, amended—interest and penalties when additional tax due.—Section 65-1458 of the 1952 Code is amended by striking all of the section and inserting in lieu thereof the following:

"Section 65-1458. If additional tax is found to be due when a return was made in good faith and the understatement of the tax was not due to any fault of the taxpayer, there shall be no penalty added because of such understatement, but interest shall be added to the amount of the deficiency at the rate of one-half of one per cent for each month or fraction of a month from the date the tax was originally due until the date the deficiency is paid.

If additional tax is found to be due and the understatement is due to negligence on the part of the taxpayer, but without intent to defraud, there shall be added to the deficiency five per cent thereof and, in addition, interest shall be added at the rate of one per cent per month or fraction of a month.

If additional tax is found to be due and the understatement is false or fraudulent, with intent to evade the tax, the amount of understatement shall be increased by one hundred per cent thereof and, in addition, interest at the rate of one per cent per month or fraction of a month on the understated amount shall be added.

The interest provided for in this section shall in all cases be computed from the date the tax was originally due to the date of payment."

SECTION 2. 1952 Code amended—Section added—penalties.—

Article 5, Chapter 15 of Title 65 is amended by adding a new section which shall read as follows:

"Section —. Any person or officer or employee of any corporation or member or employee of any partnership who, with intent to evade any requirement of this chapter or any lawful requirement of the Tax Commission under this chapter, shall fail to pay any tax, make, sign or verify any return, supply any information required by or under such provisions, or fail to acquire necessary licenses required by such provisions, or who, with like intent shall make, render, sign or verify any false or fraudulent return or statement required by this chapter, or supply any false or fraudulent information required by this chapter, shall be liable to a penalty of five hundred dollars to be recovered by the Attorney General, in the name of the people, by action in any court of competent jurisdiction located in the county where such defendant resides and shall also be guilty of a misdemeanor and, upon conviction, shall be fined not to exceed five thousand dollars or be imprisoned not to exceed five years, or both, at the discretion of the court."

SECTION 3. 1952 Code amended—section added—penalties.—

Article 5, Chapter 15, of Title 65, of the 1952 Code, is amended by adding a new section which shall read as follows:

“Section —. If any person who has failed to file a return or has filed an incorrect or insufficient return and has been notified by the Commission of his delinquency refuses or neglects within twenty days after such notice to file a proper return, the Commission shall determine the amount of the gross receipts of the person, or, as the case may be, the amount of the total sales price of his tangible personal property sold or purchased by the person for storage, use or other consumption which in this State is subject to the sales or use tax, according to the best information and belief of the Commission, and the Commission thereupon shall compute and determine the amount required to be paid to the State, adding to the sum thus determined a penalty equal to fifty per cent thereon and, in addition, interest upon such amount at the rate of one per cent per month or fraction of a month from the time the tax was originally due to the date of the payment of the tax and penalty.”

SECTION 4. Section 65-1432.1, 1952 Code, repealed.—Section 65-1432.1 of the 1952 Code is repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1023, H2233)

No. 871

An Act To Amend Subsection 42 Of Section 15 Of Part II Of Act 813 Of 1956, Relating To Alcoholic Beverage Taxes And The Posting Of A Bond, So As To Eliminate The Affixing Of Stamps To Each Standard Case Of Alcoholic Liquors By The Wholesaler; To Change The Amount Of The Bond; To Authorize The Tax Commission To Contract With Licensed Wholesale Liquor Dealers To Obtain Alcoholic Beverage Stamps On Consignment; And To Repeal Section 65-1287, Code Of Laws Of South Carolina, 1952, Relating To The Preparation Of Tax Stamps.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item C, Subsection 42, Section 15, Part II of Act 813 of 1956, amended—Sections 65-1285 and 65-1286, 1952 Code, repealed—payment of additional tax by wholesale liquor dealers—penalties.—Item C of Subsection 42 of Section 15 of Part II of Act 813 of 1956 is amended by striking it out and inserting in lieu thereof the following:

'C. Sections 65-1285 and 65-1286, Code of Laws of South Carolina, 1952, are repealed.

In addition to the tax levied under Item B of this subsection, every licensed wholesaler shall pay an additional tax of two dollars and fifty cents on each standard case of alcoholic liquors sold. This shall be paid by the licensed retailer to the wholesaler from whom such alcoholic liquors are purchased. In no case shall such tax be computed in the markup provided by law and in no case shall it be made a part of the consumer price. The tax levied in Items B and C of this subsection shall be due and payable on or before the tenth day of the month next succeeding the month in which the tax accrues. On or before the tenth day of each month, every person on whom the tax is levied or imposed by Items B and C shall render to the commission, on a form prescribed by it, a statement showing the number of cases of alcoholic liquors sold for the next preceding month, together with such other information as the commission may require. At the same time the report is filed, such person shall pay to the commission the amount of taxes due. The taxes provided in Items B and C shall constitute a debt payable to the State by the persons against whom they are charged and all such taxes, penalties, and assessments shall constitute a first lien upon all property of such persons.

The taxes, penalties or interest in this subsection shall be assessed and collected in the same manner and with like effect as other taxes are assessed and collected by the Tax Commission.

A return shall be considered filed on time if it is mailed and postmarked on or before the date it is required by law to be filed.

Any person failing to file a return required by this subsection shall be assessed a penalty of not more than one thousand dollars which shall be assessed and collected in the same manner and with like effect as other taxes collected by the Tax Commission.

Any person required by this subsection to pay any tax and who fails to do so within the time allotted shall pay, in addition to the tax, a penalty of twenty-five per cent of the tax and interest at one-half of one per cent per month or fraction of a month from the date

such tax was originally due to the date of the payment of the tax and penalty.

The Tax Commission may in its discretion waive or reduce the penalty or interest or any part thereof prescribed in this subsection."

SECTION 2. Item E, Subsection 42, Section 15, Part II of Act 813 of 1956, amended—wholesalers to post bond.—Item E of Subsection 42 of Section 15 of Part II of Act 813 of 1956 is amended by striking it out and inserting in lieu thereof the following:

"E. Every person upon whose application for a wholesale liquor dealer's license the commission has acted favorably shall, within ten days from the date he receives notice of favorable action by the commission, either (a) file with the commission a bond payable to the State, in such form as is approved by the commission, in the penal sum which in the opinion of the commission is sufficient to protect the interest of the State, but in no case shall such bond exceed one hundred thousand dollars, with some surety or guaranty company authorized to do business in this State and approved by the commission as surety, conditioned upon the lawful operation of the business covered by the license and the prompt payment of all taxes imposed by Subsection 42 of this section; or (b) deposit with the State Treasurer cash in the amount of the above mentioned bond or securities sufficient in the opinion of the State Treasurer to secure adequately the amount of the bond. The deposit shall be made upon the same conditions as that required in the bond and shall be held by the State Treasurer without interest."

SECTION 3. Wholesalers may obtain alcoholic beverage tax stamps on consignment.—The South Carolina Tax Commission is hereby authorized to enter into consignment contracts with licensed wholesale liquor dealers in order that such dealers may obtain alcoholic beverage tax stamps from the Tax Commission on consignment. Such contracts may be entered into only with wholesale liquor dealers who post bonds with the Tax Commission in amounts sufficient in the opinion of the Tax Commission to secure the payment for stamps delivered under the contracts. The contracts shall be in such form as the Tax Commission may prescribe and shall require payment for all stamps used during a calendar month on or before the tenth day of the month next succeeding. Such contracts shall also require that on or before the tenth day of each month a report shall be filed with amounts of tax stamps on hand at the beginning of the preceding the Tax Commission showing the number, denominations, and

month, stamps purchased during that month, stamps used during that month, and the balance of stamps on hand on the last day of the month. Stamps forwarded by wholesale liquor dealers to distillers or bottlers of alcoholic beverages shall be considered used for the purpose of this act.

Alcoholic beverage tax stamps used by wholesale liquor dealers, including stamps shipped by dealers to distillers or bottlers of alcoholic beverages during a calendar month, shall be paid for in full on or before the tenth day of the month next succeeding.

The bond provided for in this section shall be secured by cash which shall bear no interest, or by negotiable securities approved by the State Treasurer, or a surety bond executed by some surety company licensed to do business in this State and approved by the Tax Commission.

The Tax Commission is hereby authorized to cancel without notice any consignment contract issued under the provisions of this section if the consignee fails or refuses to make payment for stamps used during the calendar month on or before the tenth day of the month next succeeding or if the consignee fails or refuses to comply with the terms of the contract executed under authority of this section.

SECTION 4. Repeal—Section 65-1287, 1952 Code, repealed.—Section 65-1287, Code of Laws of South Carolina, 1952, is repealed.

SECTION 5. Time effective.—This act shall take effect on July 1, 1962.

Approved the 7th day of April, 1962.

(R1024, H2234)

No. 872

An Act To Amend Section 65-702, Code Of Laws, 1952, As Amended, Relating To Tax On Tobacco Products So As To Decrease The Tax On The Sale Of All Tobacco Products Except Cigarettes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-702, 1952 Code, amended—tax on tobacco products.—Section 65-702, Code of Laws, 1952, as amended, is further amended to read as follows:

"Section 65-702. There shall be levied, assessed, collected and paid in respect to the articles containing tobacco enumerated in this section the following amounts:

(1) *Little cigars*.—Upon cigars of all descriptions made of tobacco or any substitute therefor and weighing not more than three pounds per thousand, one cent for each ten cigars or fraction thereof;

(2) *Certain Cigars*.—Upon cigars of all descriptions made of tobacco or any substitute therefor, and weighing more than three pounds per thousand, retailing for five cents each or less, one dollar per thousand;

(3) *More expensive cigars*.—Upon cigars of all descriptions made of tobacco or any substitute therefor and weighing more than three pounds per thousand, retailing for over five cents each, ten dollars per thousand;

(4) *Cheroots, stogies, etc.*—For the purpose of computing the tax on cheroots, stogies and similar tobacco products, these shall be deemed to be cigars;

(5) *Cigarettes*.—Upon all cigarettes made of tobacco, or any substitute therefor, two and one-half mills on each cigarette;

(6) *Snuff and chewing tobacco*.—Upon snuff and chewing tobacco, one cent for each three ounces or fractional part thereof;

(7) *Smoking tobacco*.—Upon all smoking tobacco, including granulated, plug cut, crimp cut, ready rubbed and other kinds and forms of tobacco prepared in such manner as to be suitable for smoking in a pipe or cigarette, upon each package retailing for five cents or less, one cent and upon each package retailing for more than five cents each an additional one cent for each five cents or fractional part thereof of the retail selling price in excess of five cents.

No refunds shall be made by the South Carolina Tax Commission on any tobacco products already stamped due to the lesser tax provided by this section."

SECTION 2. Time effective.—This act, upon approval by the Governor, shall be effective July 1, 1962.

Approved the 7th day of April, 1962.

(R1025, H2235)

No. 873

An Act To Amend Sections 5-662 And 5-664 Of The 1952 Code, As Amended, And Sections 5-666, 5-670 And 5-674 Of The 1952 Code, Relating To Licenses For Coin-Operated Devices And Billiard Tables, So As To Change The Due Date On Coin-Operated Devices' Licenses To Require The Manufacturer's Serial Number On Machines Or Billiard Tables Before The Issuance Of Licenses And To Provide For The Confiscation Of Improperly Licensed Apparatus.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 5-662, 1952 Code, amended—application for license.—Section 5-662 of the 1952 Code, as amended, is further amended to read as follows:

“Section 5-662. The application for a license under Section 5-660 shall be filed on blanks to be furnished by the commission. In making application for a license, the applicant shall specify the manufacturer's serial number of the machine and the model or type of machine for which the license is desired, and no such machine, except machines previously licensed before the effective date of this act and bearing a permanently attached identifying serial number, shall be licensed under this article unless it shall bear such manufacturer's serial number. Any such machine previously licensed before the effective date of this act and bearing a permanently attached identifying serial number may be licensed by reference to such number.”

SECTION 2. Section 5-664, 1952 Code, amended—license to be attached to machine—liability of owner.—Section 5-664 of the 1952 Code, as amended, is further amended by striking out the last sentence in its entirety. The section when amended shall read as follows:

“Section 5-664. The owner of any machine subject to the license imposed by this article shall see that the proper state license is attached to the machine before its operation is commenced. Failure to do so shall make such person liable for the penalties imposed in this article.”

SECTION 3. Section 5-666, 1952 Code, amended—application for license.—Section 5-666 of the 1952 Code is amended to read as follows:

"Section 5-666. In making an application for a license under Section 5-665, the applicant shall specify the manufacturer's serial number of the billiard or pocket billiard table for which a license is desired and no billiard or pocket billiard table, except such billiard and pocket billiard tables which were previously licensed prior to the effective date of this act and bear permanently attached identifying serial number, shall be licensed under this article, **unless it shall bear such manufacturer's serial number.** Any such billiard or pocket billiard table previously licensed before the effective date of this act and bearing a permanently attached identifying serial number may be licensed by reference to such number."

SECTION 4. Section 5-670, 1952 Code, amended—license required for coin-operated devices.—Section 5-670 of the 1952 Code is amended by adding at the beginning thereof: "Except as provided hereinafter with respect to licenses for certain coin-operated devices," and by adding at the end thereof: "In the case of licenses required for certain coin-operated devices pursuant to Section 5-660, each such license shall be valid for a period of twelve months including the month of issue, the month of issue being considered a full month, and every person subject to the payment of such tax shall annually, in advance before doing any act taxable under such section, apply for and obtain from the commission the required State license and shall pay the tax levied therefor." The section when amended shall read as follows:

"Section 5-670. Except as provided hereinafter with respect to licenses for certain coin-operated devices, every person subject to payment of tax under this article shall annually in advance, on or before the first day of July of each year or before doing any act taxable under the provisions of this article, apply for and obtain from the Tax Commission a State license for the privilege of engaging in such business and shall pay the tax levied therefor. All such licenses shall expire on the thirtieth day of June following date of issue. In the case of licenses required for certain coin-operated devices pursuant to Section 5-660, each such license shall be valid for a period of twelve months including the month of issue, the month of issue being considered a full month, and every person subject to the payment of such tax shall annually, in advance before doing any act taxable under such section, apply for and obtain from the commission the required State license and shall pay the tax levied therefor."

SECTION 5. Section 5-674, 1952 Code, amended—confiscation of unlicensed devices or tables.—Section 5-674 of the 1952 Code is

amended by adding at the end of line 2 "or which shall be improperly licensed". The section when amended shall read as follows:

"Section 5-674. In addition to the penalties above provided for, any machine, apparatus, billiard or pocket billiard table not having attached thereto the required license, or which shall be improperly licensed, shall be seized and confiscated by the commission, its agents or employees, and sold at public auction after thirty days advertisement. Upon payment of the license required, the commission may, within its discretion, return any property so seized and confiscated and compromise any penalty assessed."

SECTION 6. Repeal.—Nothing herein shall void any license that is valid.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1026, H2236)

No. 874.

An Act To Amend Sections 65-601, 65-604, 65-605 And 65-606, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Annual Reports And License Fees Of Corporations, So As To Make Uniform With Income Tax Procedure Provisions Relating To Extensions For Filing Returns, Time For Payment Of Fee, Requirements For Filing, And To Provide That Such License Fees Due From Corporations Filing A Consolidated Return Shall Be Calculated With Respect To The Total Capital And Paid-In Surplus Of Each Corporation In The Group Electing To File Such Consolidated Return.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-601, 1952 Code, amended—corporations to make reports to Tax Commission.—Section 65-601, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

"Section 65-601. Every corporation organized under the laws of South Carolina to do business for profit and every corporation organized to do business under the laws of any other state, territory or country and qualified to do business in South Carolina and any

other corporation required by Section 10 of Act 731 of 1958, as amended, to file income tax returns shall, in addition to any and all other requirements of law, make a report annually to the Tax Commission on or before the fifteenth day of the third month next after the preceding income year in such form as may be prescribed by the Tax Commission containing such information and facts as the Commission may require for the administration of the provisions of this chapter. *Provided*, that in case of sickness, absence or other disability, or other good cause, the Tax Commission may, within its discretion, grant an extension of time within which to file the license tax return required by this section; *provided*, further, that where an extension of time is granted, the Tax Commission may require the taxpayer to file a tentative return showing the name and address of the taxpayer and the amount of tax estimated to be due; such tentative return to be filed on or before the fifteenth day of the third month next after the preceding income year and the estimated tax shown thereon paid in full at the time of filing such tentative return; *provided*, further, that the completed return must be filed and the balance of tax, if any, must be paid within the extended period."

SECTION 2. Section 65-604, 1952 Code, amended—corporations to pay annual license fee—consolidated fee.—Section 65-604, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

"Section 65-604. In addition to any and all other license taxes or fees or taxes of whatever kind every corporation required to file a report by Section 65-601, except such corporations as are enumerated in Section 65-605, shall pay to the South Carolina Tax Commission, at the time of filing the report required by Section 65-601, an annual license fee of one mill upon each dollar paid to the capital stock and paid in as surplus of said corporation as shown by the records of the corporation on the first day of the income year next preceding the date of filing the report. In no case shall the license fee provided for by this section be less than ten dollars. Where a corporation does business in part within South Carolina and in part without this State, or uses a part of its capital within South Carolina and uses a part of its capital without this State, or owns, maintains or operates one or more establishments or plants within South Carolina and owns, maintains or operates one or more establishments or plants without

this State, the amount of the license fee above provided for shall be measured by a proportion of the dollars paid to the capital stock and paid in as surplus of the corporation, determined in accordance with the ratios prescribed for purposes of the income tax as set forth in Sections 5, 6, 7 and 8 of Act No. 731 of 1958, as amended.

For the purposes of this section the ratios to be used shall be based upon the accounting period of the corporation as regularly established for the purposes of the income tax.

Paid-in surplus as used herein shall not include any capital surplus created by reason of a reorganization, consolidation, or merger except such surplus as may result from a decrease of capital as an incident to such reorganization, consolidation or merger.

Where a consolidated return is filed the consolidated license fee provided for by this section shall be measured by the total capital and paid-in surplus of each corporation considered separately without offset for investment of one corporation in the capital or surplus of another in the group electing to file such consolidated return.

The license fee provided for by this section shall be paid at the time of filing the report, pursuant to the provisions of Section 65-601, Code of Laws of South Carolina, 1952, on or before the fifteenth day of the third month next after the preceding income year."

SECTION 3. Section 65-605, 1952 Code, amended—when license fee to be paid.—Section 65-605, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof the following: "The license fee provided for by this section shall be paid at the time of the filing of the report."

SECTION 4. Section 65-606, 1952 Code, amended—payment of license fee.—Section 65-606, Code of Laws of South Carolina, 1952, as amended by Act 242 of 1953, is further amended by changing the comma on the next to the last line to a period and striking the remainder of the section.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1027, H2237)

No. 875

An Act To Provide For The Making Of Jeopardy Assessments Of Taxes And Licenses Administered by The Tax Commission And To Repeal Section 65-343 And Section 65-1472 Of The 1952 Code, Relating To Jeopardy Assessments And Collections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jeopardy assessments of taxes and licenses by Tax Commission.—If the South Carolina Tax Commission finds or in its opinion has reason to believe that the assessment and collection of any tax or license fee or income taxes withheld or any interest or penalty pertaining thereto, for any year, current or past, will be jeopardized in whole or in part by delay, the Tax Commission may mail or issue a notice of such finding to the taxpayer, together with a demand for immediate payment of the tax or license or income taxes withheld, declared to be in jeopardy, including interest, penalties and additions thereto. In the case of a tax or license for a current period, the Commission may declare the taxable period of the taxpayer or licensee immediately terminated and shall cause notice of such finding and declaration to be mailed or issued to the taxpayer, together with a demand for immediate payment of the tax based on the period declared terminated, and such tax shall be immediately due and payable whether or not the time otherwise allowed by law for filing a return and paying the tax has expired. Any such assessment provided for in this section shall be immediately due and payable. If the assessment is not paid upon demand of the Commission, the Commission shall forthwith issue a warrant for distraint against the property, real and personal, of the taxpayer, which shall be collected in the same manner and with like effect as provided under the terms of Section 14, of Part III, of Act 644 of 1954.

SECTION 2. Posting of bonds for jeopardy assessments.—When a jeopardy assessment has been made pursuant to Section 1 of this Act, the collection of the whole or any amount of such assessment may be stayed by filing with the Tax Commission, within such time as may be fixed by regulations prescribed by the Commission, a bond in an amount as to which a stay is desired, conditioned for the payment of the amount hereinafter specified at the time when such tax would be due if such tax is not

due at the time of the making of such jeopardy assessment, or if such tax is due or overdue at the time of the making of such jeopardy assessment, at such time as may be fixed by such regulations. A bond as contemplated in this act shall be in the form of a surety bond issued by a surety company licensed to do business in South Carolina by the Insurance Commission of this State, or cash which shall not bear interest, or negotiable securities subject to the approval of the State Treasurer. The bond in all instances would be conditioned upon the payment of the full amount of the assessment together with applicable interest, penalties and costs of collection.

SECTION 3. Sections 65-343 and 65-1472, 1952 Code, repealed.—Section 65-343 and Section 65-1472 of the 1952 Code are repealed.

SECTION 4. Sections 65-343 and 65-1472, 1952 Code, to apply in certain cases.—The provisions of Section 65-343 and Section 65-1472 of the 1952 Code, repealed by this act, shall continue in full force and effect with respect to any jeopardy assessments or warrants for distraint issued by reason of jeopardy assessments which were of record prior to the effective date of this act.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1028, H2238)

No. 876

An Act To Amend Act No. 350 Of The Acts Of 1955, Relating To The Civil Courts For The City Of Spartanburg And Territory Adjacent Thereto, So As To Increase The Civil Jurisdiction Of Such Courts From Three Hundred Dollars To Seven Hundred Fifty Dollars.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6 of Act 350 of 1955 amended—jurisdiction in law cases.—Section 6 of Act No. 350 of the Acts of 1955 is amended by striking the words “three hundred dollars” on line six and insert in lieu thereof the words “seven hundred fifty dollars”, so that the section when amended shall read as follows:

“Section 6. The judges, in addition to their jurisdictional power and authority referred to above, shall have the same jurisdiction as the county court and court of common pleas, and the judges thereof, and concurrent therewith, in all cases in law when the value of the property in controversy or the amount claimed does not exceed the sum of seven hundred fifty dollars. But they shall not have jurisdiction in any case when a title to real estate is involved, and they shall not have appellate jurisdiction.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1029, H2247)

No. 877

An Act To Amend Section 15-804, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Spartanburg County Court, So As To Increase Its Jurisdiction.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-804, 1952 Code, amended—jurisdiction of Spartanburg County Court.—Section 15-804, Code of Laws of South Carolina, 1952, as amended by Act No. 327 of the Acts of 1955, is further amended by striking beginning on line three the following: “in which the amount demanded in the complaint does not exceed six thousand dollars or in which the value of the property involved does not exceed six thousand dollars, and in all other civil cases and special proceedings, both at law and in equity, in which there is no money demanded or in which the right involved cannot be measured or fixed by any monetary value.” and inserting in lieu thereof the following: “except that its jurisdiction shall not extend to actions at law for the recovery of money only when the amount demanded in the complaint exceeds eleven thousand dollars or for the recovery for specific real or personal property when the value of such property exceeds eleven thousand dollars.” Amend further by striking out the word “six” on lines twenty and twenty-two and inserting in lieu thereof the word “eleven”. The section when amended shall read as follows :

"Section 15-804. The county court shall have concurrent jurisdiction with the court of common pleas in all civil cases and special proceedings, both at law and in equity except that its jurisdiction shall not extend to actions at law for the recovery of money only when the amount demanded in the complaint exceeds eleven thousand dollars or for the recovery for specific real or personal property when the value of such property exceeds eleven thousand dollars. The court shall have concurrent jurisdiction with the court of common pleas of the county in actions relating to divorce from the bonds of matrimony and alimony and settlement of property rights connected therewith, regardless of the amount of the alimony or of the value of the property rights settled or judgment obtained therein, if one of the parties to the action shall have been a resident of the county for one year or more prior to the filing of the summons and complaint thereof.

In the event that a defendant in any case, other than one relating to divorce from the bonds of matrimony and settlement of property rights connected therewith, by way of answer demands by way of counterclaim or otherwise an amount in excess of eleven thousand dollars, or seeks to recover or litigate title to specific, real or personal property, of the value in excess of eleven thousand dollars, such pleading on his part shall not defeat the jurisdiction of the court, but the court is authorized to render judgment on the rights of the defendant within the limitation of its jurisdiction as provided above. By thus submitting his rights to a court of limited jurisdiction, the defendant is barred from further litigating any matter raised or involved in his answer.

In cases where the defendant is required to set up or is allowed to plead a set-off, recoupment or counterclaim and does not do so, for the reason that the amount of money, or the value of the property involved, is in excess of the jurisdictional limit of the court, his failure to do so, shall not bar his right to litigate such matters in any other court having jurisdiction."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1031, H2277)

No. 878

An Act To Amend Section 46-602, Code Of Laws Of South Carolina, 1952, Prohibiting Devices To Emit Smoke Screen, Noisome Gases Or Odors On Motor Vehicles, So As To Provide That In Addition To Those Penalties Now Provided By Law For Violations Of The Section, The Revocation Of The Driver's License.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46-602, 1952 Code, amended—unlawful to have devices for smoke screens—penalties.—Section 46-602, Code of Laws of South Carolina, 1952, is amended by changing the period at the end of the first paragraph of the section to a comma and adding thereto the following: “and his driver’s license shall be forthwith revoked.” so that the first paragraph of Section 46-602 when so amended shall read as follows:

“Section 46-602. It shall be unlawful for any person to attach to any motor vehicle any device to emit from the exhaust pipe or any other part of such vehicle any smoke screen, noisome gases or odors. It shall be unlawful for any person to drive upon any highway or to have in his possession any motor vehicle to which is attached or unattached or in which is transported any device or substantial part of a device, attached or unattached, used in whole or in part for any smoke screen or any noisome gases or odors. It shall be unlawful for any person to use or operate in this State any device attached to any motor vehicle so as to emit from such device any smoke screen, noisome gases or odors. Any person violating any of the foregoing provisions of this section shall be guilty of a felony and upon conviction shall be imprisoned for not less than six months nor more than two years or fined not less than two hundred dollars nor more than five hundred dollars, in the discretion of the court, and his driver’s license shall be forthwith revoked for a period of two years.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1032, H2298)

No. 879

An Act To Amend Section 32-593, Code Of Laws Of South Carolina, 1952, Relating To Reports Of Cases Of Venereal Disease, So As To Delete A Provision Which Prohibits The Divulgence Of The Names Of Persons So Afflicted.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 32-593, 1952 Code, amended—cases of venereal disease to be reported.—Section 32-593, Code of Laws of South Carolina, 1952, is amended by striking out the last sentence, so that when so amended the section shall read as follows :

“Section 32-593. Any physician or other person who makes a diagnosis of or treats a case of venereal disease and any superintendent or manager of a hospital, dispensary or charitable or penal institution in which there is a case of venereal disease shall make a report of such case to the health authorities according to such form and manner as the State Board of Health shall direct.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1036, H2315)

No. 880

An Act Making It Unlawful To Attempt Or Commit Robbery Upon Operators Of Certain Motor Vehicles, And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to rob operators of motor vehicles for hire.—Notwithstanding any provisions of the law to the contrary, any person who may hereafter, by way of threat, torture or the exhibition of a deadly weapon, or the discharge of a pistol or gun, attempt the robbery of, or shall rob, any person engaged in the performance of his duties as an operator of a motor vehicle being used for the transportation of passengers for hire shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than five years nor more than twenty-five years, in the discretion of the court.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1037, H2333)

No. 881

An Act Providing For The Licensing Of Certain Mobile Homes And House Trailers Used As Dwellings, And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Mobile homes and house trailers to be licensed.—Within fifteen days after bringing a mobile home or house trailer into this State, or the purchase of a mobile home or house trailer in this State, for dwelling purposes, the owner shall obtain a license from the governing body of the county or its designated agent.

SECTION 2. Not to be licensed unless taxes paid.—No mobile home or house trailer, except those owned or stocked by dealers for resale, may be registered and licensed unless a signed statement accompanies the application certifying that all county and municipal taxes legally due by the applicant during the preceding year have been paid, if such mobile home or house trailer were subject to any such tax. A transfer between members of the same family shall not, for the purpose of this act, be considered a bona fide purchase.

SECTION 3. License—period—form—fee.—The license required under the provisions of this act shall be good for a period of one year beginning on the first day of each year. Licenses issued between July first and December thirty-first shall be issued for one-half the annual rate. The license shall be of such form as shall be prescribed by the S. C. Tax Commission and shall be displayed on the mobile home or house trailer so as to be clearly and readily visible from the outside. The annual license fee shall be two dollars.

SECTION 4. Copy to be filed with county auditor.—Each county agency responsible for the issuance of the license shall immediately file a copy of the application or the information taken from such application with the county auditor, who shall immediately enter this information upon the tax books of the county.

SECTION 5. Not applicable if licensed by Highway Department.—The provisions of this act shall not be applicable if the mobile home or house trailer is licensed by the S. C. Highway Department.

SECTION 6. Penalties.—Any person failing to obtain a license as provided for by this act or who falsifies the application for such license or who fails to immediately display such license so that it may be clearly visible from the outside shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 7. Time effective.—This act shall take effect July 1, 1962.

Approved the 7th day of April, 1962.

(R1038, H2366)

No. 882

An Act To Amend Act No. 360 Of 1957, As Amended, Relating To Shooting Preserves, So As To Remove Certain Restrictions In Game Zone No. 6.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 360 of 1957 amended—Section 3.3 added—season for shooting preserves in Game Zone 6.—Act No. 360 of the Acts of 1957, as amended by Act No. 258 of the Acts of 1961, is further amended by striking the word “public” on line 4 of Section 1 of Act No. 258 so that, when so amended, the section shall read:

“Section 1. Act No. 360 of the Acts of 1957, as amended, is further amended by adding a new section to be known as Section 3.3 which shall read as follows:

‘Section 3.3. In Game Zone No. 6 within the boundaries of shooting preserves licensed by authority of this act, the open season on all types of pen raised game shall be from October first of any year to April first of the following year. The provisions of this act are not intended to close any open season on any type of game when such open season occurs between April first and September thirtieth of any year.’”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1039, H2370)

No. 883

An Act To Amend An Act Of The General Assembly Of 1962, Bearing Ratification No. 726, Which Provides Annual Leave For State Employees, So As To Delete A Portion Of Section 3 Relating To More Liberal Annual Leave Benefits, And To Exempt Employees Of The State Highway Department From The Provisions Of This Act.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act No. 691 of 1962 amended—not to affect certain agencies.—An act of the General Assembly of 1962 bearing ratification No. 726 is amended by striking Section 3 and inserting in lieu thereof the following :

“Section 3. Any department or agency of the State Government, including the South Carolina Public Service Authority, having an existing merit system, may continue to operate under the terms of such system. The provisions of this act shall not apply to persons employed by the State Highway Department.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1040, H2371)

No. 884

An Act To Provide A Procedure For Abandoning Or Closing Streets, Roads Or Highways.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Petition for abandoning or closing streets or roads.—Any interested person, the State or any of its political subdivi-

sions or agencies may petition a court of competent jurisdiction to abandon or close any street, road or highway whether opened or not. Prior to filing the petition, notice of intention to file shall be published once a week for three consecutive weeks in a newspaper published in the county where such street, road or highway is situated. Notice shall also be sent by mail requiring a return receipt to the last known address of all abutting property owners whose property would be affected by any such change.

SECTION 2. Court to make determination.—If the court shall determine that it is to be the best interest of all concerned that such street, road or highway be abandoned or closed, the court shall then determine in whom the title thereto shall be vested and issue an appropriate order.

SECTION 3. Court order to be recorded.—The clerk of court or register of mesne conveyances of the county where the property is situated shall record the order of the court and index the same in the book of deeds to real property.

SECTION 4. Act to be cumulative to other laws.—This act shall not be construed to repeal any other provision of law but shall be cumulative thereto.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1041, H2373)

No. 885

An Act To Amend Section 37-123 Of The 1952 Code, Relating To Reduction Of Fees On Account Of Local Investments By Insurance Companies, So As To Further Provide For Investments.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 37-123, 1952 Code, amended—license fee of insurance companies to be reduced if money invested locally.—Section 37-123 of the 1952 Code is amended by changing the word “or” on line 6 between “bonds” and “real” to the word “on” and by adding at the end of subitem (c) the following: “average daily balance invested in savings accounts in building and loan, sav-

ings and loan, and Federal savings and loan associations of this State, maintained continuously for twelve months next preceding the date of the return or" so that, when so amended, the section shall read as follows:

"Section 37-123. If the executive officer making a return for a company required to pay the additional fee provided by Section 37-122 shall file with the Commissioner a sworn statement showing that at least one-fourth of the reserve on all policies issued in this State is invested in any or all of the following securities or property, to wit: (a) notes or bonds of this State or of counties or municipalities of this State or subdivisions thereof, (b) first mortgage bonds on real estate in this State or first mortgage bonds of solvent domestic or domesticated corporations whose improved property is situate entirely within this State and which are owned and controlled independently of foreign corporations and operated entirely within the State, (c) average daily balance on deposits in banks of this State, maintained continuously for twelve months next preceding the date of the return or average daily balance invested in savings accounts in building and loan, savings and loan, and Federal savings and loan associations of this State, maintained continuously for twelve months next preceding the date of the return or (d) any property situate within the State and returned for taxes therein, at the value at which it is returned, then the additional license fee on premiums collected during the time such investments have been actually made and maintained shall be one and three-fourths per cent. Under like conditions if such investment be one-half of such reserve, the additional license fee shall be one and one-half per cent. Under like conditions if such investment be three-fourths of such reserve, the additional license fee shall be one and one-fourth per cent. And if the entire reserve be so invested, under like conditions, the additional license fee on such premium receipts shall be one per cent."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1042, H2374)

No. 886

An Act To Amend Section 8-603.2 Of The 1952 Code, Relating To Home Improvement Loans Made By Building And Loan Associations, So As To Increase The Amounts Which May Be Loaned.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8-603.2, 1952 Code, amended—home improvement loans by building and loan associations—amounts.—Section 8-603.2 of the 1952 Code is amended by striking it in its entirety and inserting in lieu thereof the following:

“Section 8-603.2. Regardless of the provisions of Section 8-603.1 any building and loan association may make home improvement loans under the Title I FHA or other loans for property alteration, repair, or improvement in an amount not exceeding thirty-five hundred dollars for each loan; *provided*, that, in its discretion, the State Board of Bank Control may authorize such loans to be made in an amount not exceeding five thousand dollars; and *provided*, further, that the total amount of all loans made under this section shall not, at any time, exceed fifteen per cent of the association’s assets.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1043, H2401)

No. 887

An Act To Amend Section 6 Of Act 253 Of 1959, As Amended, Relating To Equipment Requirements For Motorboats, So As To Eliminate Certain Requirements Relating To Approval Of Equipment By The United States Coast Guard.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 1, Section 6, of Act 253 of 1959 amended—type of life preserver required.—Item (1) of Section 6 of Act 253, Acts of 1959 is amended by striking on line 2 of the item “of the type”, so that when amended the item will read as follows:

“(1) One life preserver, buoyant vest, ring buoy or buoyant cushion approved by the Commandant of the United States Coast Guard in good and serviceable condition for each person on board;”

SECTION 2. Item 6, Section 6 of Act 253 of 1959, repealed.—Item (6) of Section 6 of Act 253 of 1959 is repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1045, H2408)

No. 888

An Act To Amend Section 65-1620, Code Of Laws Of South Carolina, 1952, Relating To The Listing Of New Structures For Tax Purposes, So As To Provide That Such Structures Shall Not Be Listed Or Assessed Until Completed.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1620, 1952 Code, amended—listing of new structures for tax purposes.—Section 65-1620, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following: “No new structure shall be listed or assessed until it is completed and fit for the use for which it is intended.” so that when so amended the section shall read as follows:

“Section 65-1620. Each owner of land on which any new structures have been erected which shall not have been appraised for taxation shall list them for taxation with the county auditor of the county in which they may be situate on or before the first day of March next after they shall become subject to taxation. No new structure shall be listed or assessed until it is completed and fit for the use for which it is intended.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1046; H2410)

No. 889

An Act To Amend Sections 56-731 And 56-733, Code Of Laws Of South Carolina, 1952, Relating To Registration Of Persons Holding Certain Certificates Of Qualification As Engineers And The Annual Renewal Of Engineers' And Surveyors' Registration Fees, Respectively, So As To Further Provide For The Fees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 56-731, 1952 Code, amended—registration of persons holding national or certificates from other states—fee.—Section 56-731 of the 1952 Code is amended by striking the word “fifteen” on line 2 and inserting in lieu thereof the word “twenty-five”, so that when so amended the section shall read as follows: “Section 56-731. The Board may, upon application therefor and the payment of a fee of twenty-five dollars, issue a certificate of registration as a professional engineer to any person who holds a certificate of qualification or registration issued to him by proper authority of the National Council of State Boards of Engineering Examiners or of the National Bureau of Engineering Registration or of any state, territory or possession of the United States or of any foreign country if the applicant’s qualifications meet the requirements of this chapter and the rules established by the Board.”

SECTION 2. Section 56-733, 1952 Code, amended—annual renewal fee.—Section 56-733 of the 1952 Code is amended by striking the word “five” on line 5 and inserting in lieu thereof the word “ten” and by striking the word “three” on line 10 and inserting in lieu thereof the word “five”, so that when so amended the section shall read as follows:

“Section 56-733. The registration year for professional engineers and land surveyors shall be from July 1st to June 30th in each year. Every certified professional engineer registered under the provisions of this chapter who desires to continue the practice of his profession shall annually during the month of June pay to the secretary of the Board a fee of ten dollars or such smaller amount as may be prescribed by the Board, for which fee a renewal registration card for the ensuing registration year shall be issued. Every land surveyor so registered under this chapter who desires to continue the practice of his profession shall annually during the month of June pay to the secretary of the Board a fee of five dollars or such smaller

amount as may be prescribed by the Board for which fee a renewal registration card for the ensuing registration year shall be issued."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1047, H2411)

No. 890

An Act To Amend Section 56-725 Of The 1952 Code, Relating To Registration Fees To Be Charged By The State Board Of Engineering Examiners, So As To Further Provide For The Fees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 56-725, 1952 Code, amended—registration fees for engineers and land surveyors.—Section 56-725 of the 1952 Code is amended by inserting between the words "the" and "registration" on line one the following: "examination and"; and by striking the word "twenty-five" on line one and inserting in lieu thereof the word "thirty-five"; and by striking the word "fifteen" on line two and inserting in lieu thereof the word "thirty"; and by striking the word "ten" on line two and inserting in lieu thereof the word "five"; and by striking the word "fifteen" on line six and inserting in lieu thereof the word "twenty-five"; and by changing the period at the end of line six to a comma and inserting "which shall accompany the application."; and by striking the word "fifteen" on line eighteen and inserting in lieu thereof the word "twenty-five", so that, when so amended, the section shall read as follows:

"Section 56-725. The examination and registration fee for professional engineers shall be thirty-five dollars, thirty dollars of which shall accompany the application, the remaining five dollars to be paid upon the issuance of the certificate. When a certificate of qualification issued by the National Bureau of Engineering Registration is accepted as evidence of qualification, the total fee for registration as a professional engineer shall be twenty-five dollars, which shall accompany the application.

The fee for an engineer in training shall be five dollars, which shall accompany the application and shall include the cost of examination

and issuance of the certificate. When registration as a professional engineer is completed by an engineer in training an additional fee of twenty dollars shall be paid before issuance of the certificate as a professional engineer.

A person who is a resident of the State and has been certified in another state as an engineer in training may upon the payment of a fee of one dollar be certified as an engineer in training in this State provided he submits evidence satisfactory to the Board that he has been certified as an engineer in training in another state under qualifications substantially equivalent to those specified in this chapter for certification as an engineer in training.

The registration fee for land surveyors shall be twenty-five dollars, which shall accompany the application.

Should the Board deny the issuance of a certificate of registration to any applicant the initial fee deposited shall be retained as an application fee."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1048, H2412)

No. 891

An Act To Amend Section 56-740 Of The 1952 Code, Relating To Exemptions That May Be Granted To Nonresident Professional Engineers And Land Surveyors, So As To Provide For The Issuance Of A Permit To Such Persons.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (2), Section 56-740, 1952 Code, amended—permits.—Item (2) of Section 56-740 of the 1952 Code is amended by adding at the end thereof the following:

"Such person shall make application to the Board in writing and after payment of a fee of fifteen dollars may be granted a written permit for a definite period of time to do a specific job; *provided*, however, no right to practice engineering shall accrue to such applicant with respect to any other work not set forth in the permit. A permit of this type may not be used for more than one job in any calendar year."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1049, H2413)

No. 892

An Act To Amend Section 56-734 Of The 1952 Code, Relating To Revocation Of Certificates Granted By The State Board Of Engineering Examiners, So As To Provide Further Grounds For Such Revocations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56-734, 1952 Code, amended—grounds for revoking certificates.—Section 56-734 of the 1952 Code is amended by striking it in its entirety and inserting in lieu thereof the following:

“Section 56-734. The Board may revoke the certificate of registration of any registrant who is found guilty of:

(1) The practice of any fraud or deceit in obtaining a certificate of registration;

(2) Any gross negligence, incompetency or misconduct in the practice of engineering or land surveying as a registered professional engineer or land surveyor;

(3) Any felony or any crime involving moral turpitude;

(4) Aiding or abetting any person in the violation of any provision of this chapter;

(5) Violating any provision of this chapter; or

(6) Has been declared insane by a court of competent jurisdiction and has not thereafter been lawfully declared sane.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1050, H2414)

No. 893**An Act To Allow Clerks Of Court To Issue Consent Orders Of Dismissal In Certain Civil Actions.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dismissal of certain actions by clerks of court.—

Notwithstanding any provision of law to the contrary the clerk of any court wherein a civil action is pending may order the dismissal of such action with or without prejudice upon consent of the parties thereto; *provided*, that the power shall not extend to an action in which a party is represented by a guardian ad litem.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1051, H2415)

No. 894**An Act To Provide For The Continuity Of The General Assembly In The Event Of An Attack By An Enemy Of The United States.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Title.—This act shall be known as the "Emergency Interim Legislative Succession Act."

SECTION 2. Findings of General Assembly.—The General Assembly declares: (1) that recent technological developments make possible an enemy attack of unprecedented destructiveness, which may result in the death or inability to act of a large proportion of the membership of the General Assembly; (2) that to conform in time of attack to existing legal requirements pertaining to the General Assembly would be impracticable, would admit of undue delay, and would jeopardize continuity of operation of a legally constituted General Assembly; and (3) that it is therefore necessary to adopt special provisions as hereinafter set out for the effective operation of the General Assembly.

SECTION 3. Definitions.—As used in this act:

(a) "Attack" means any action or series of actions taken by an enemy of the United States resulting in substantial damage or injury

to persons or property in this State whether through sabotage, bombs, missiles, shellfire, or atomic, radiological, chemical, bacteriological, or biological means or other weapons or methods.

(b) "Unavailable" means absent from the place of session (other than on official business of the General Assembly), or unable, for physical, mental or legal reasons, to exercise the powers and discharge the duties of a member of the General Assembly, whether or not such absence or inability would give rise to a vacancy under existing constitutional or statutory provisions.

SECTION 4. Designation of emergency interim successors.—Each member of the General Assembly (hereinafter referred to as legislator) shall designate not fewer than three nor more than seven emergency interim successors to his powers and duties and specify their order of succession. Each legislator shall review and, as necessary, promptly revise the designations of emergency interim successors to his powers and duties to insure that at all times there are at least three such qualified emergency interim successors.

SECTION 5. Qualifications of successor—powers—term.—An emergency interim successor is one who is designated for possible temporary succession to the powers and duties, but not the office, of a legislator. No person shall be designated or serve as an emergency interim successor unless he may under the Constitution and statutes hold the office of the legislator to whose powers and duties he is designated to succeed, but no constitutional or statutory provision prohibiting a legislator from holding another office or prohibiting the holder of another office from being a legislator shall be applicable to an emergency interim successor. An emergency interim successor shall serve at the pleasure of the legislator designating him or of any subsequent incumbent of the legislative office.

SECTION 6. Designation of successors when legislator does not designate sufficient number.—Prior to an attack, if a legislator fails to designate the required minimum number of emergency interim successors within thirty days following the effective date of this act, or, after such period, if for any reason the number of emergency interim successors for any legislator falls below the required minimum and remains below such minimum for a period of thirty days, then the presiding officer of the same house as such legislator shall promptly designate as many emergency interim successors as are required to achieve such minimum number, but the presiding officer shall not

assign to any of his designees a rank in order of succession higher than that of any remaining emergency interim successor previously designated by a legislator for succession to his own powers and duties. Each emergency interim successor designated by the presiding officer shall serve at the pleasure of the person designating him, but the legislator for whom the emergency interim successor is designated or any subsequent incumbent of his office may change the rank in order of succession or replace at his pleasure any emergency interim successor so designated.

SECTION 7. Filing of designations—journal.—Each designation of an emergency interim successor shall become effective when the legislator or presiding officer making the designation files with the Secretary of State the successor's name, address and rank in order of succession. The removal of an emergency interim successor or change in order of succession shall become effective when the legislator or presiding officer so acting files this information with the Secretary of State. All such data shall be open to public inspection. The Secretary of State shall inform the Governor, the State Office of Civil Defense, the Clerk of the House concerned and all emergency interim successors, of all such designations, removals and changes in order of succession. The Clerk of each House shall enter all information regarding emergency interim successors for the House in its public journal at the beginning of each legislative session and shall enter all changes in membership or order of succession as soon as possible after their occurrence.

SECTION 8. Oath.—Promptly after designation each emergency interim successor shall take the oath required for the legislator to whose powers and duties he is designated to succeed. No other oath shall be required.

SECTION 9. Successor to keep himself informed.—Each emergency interim successor shall keep himself generally informed as to the duties, procedures, practices and current business of the General Assembly, and each legislator shall assist his emergency interim successors to keep themselves so informed.

SECTION 10. Change of place of session.—Whenever in the event of an attack, or upon finding that an attack may be imminent, the Governor deems the place of session then prescribed to be unsafe, he may change it to any place within or without the State which he deems safer and convenient.

SECTION 11. Sessions after attack.—In the event of an attack, the Governor shall call the General Assembly into session as soon as practicable, and in any case within ninety days following the inception of the attack. If the Governor fails to issue such call, the General Assembly shall, on the ninetieth day from the date of inception of the attack, automatically convene at the place where the Governor then has his office. Each legislator and each emergency interim successor, unless he is certain that the legislator to whose powers and duties he is designated to succeed or any emergency interim successor higher in order of succession will not be unavailable, shall proceed to the place of session as expeditiously as practicable. At each session or at any session in operation at the inception of the attack, and at any subsequent sessions, limitations on the length of session and on the subjects which may be acted upon shall be suspended.

SECTION 12. Exercise of powers and duties of legislator by successor.—If in the event of an attack a legislator is unavailable, his emergency interim successor highest in order of succession who is not unavailable shall, except for the power and duty to appoint emergency interim successors, exercise the powers and assume the duties of such legislator. An emergency interim successor shall exercise these powers and assume these duties until the incumbent legislator, an emergency interim successor higher in order of succession, or a legislator appointed or elected and legally qualified can act. Each house of the General Assembly shall, in accordance with its own rules, determine who is entitled under the provisions of this act to exercise the powers and assume the duties of its members. All constitutional and statutory provisions pertaining to ouster of a legislator shall be applicable to an emergency interim successor who is exercising the powers and assuming the duties of a legislator.

SECTION 13. Privileges of office of successor.—When an emergency interim successor exercises the powers and assumes the duties of a legislator, he shall be accorded the privileges and immunities, compensation, allowances and other perquisites of office to which a legislator is entitled. In the event of attack, each emergency interim successor, whether or not called upon to exercise the powers and assume the duties of a legislator, shall be accorded the privileges and immunities of a legislator while traveling to and from a place of session and shall be compensated for his travel in the same manner and amount as a legislator. This section shall not in any way affect

the privileges, immunities, compensation, allowances or other perquisites of office of an incumbent legislator.

SECTION 14. Quorum—necessary proportion of vote.—In the event of an attack, (1) quorum requirements for the General Assembly shall be suspended, and (2) where the affirmative vote of a specified proportion of members for approval of a bill, resolution or other action would otherwise be required, the same proportion of those voting thereon shall be sufficient.

SECTION 15. Extension or restoration of emergency procedure.—The authority of emergency interim successors to succeed to the powers and duties of legislators, and the operation of the provisions of this act relating to quorum, the number of affirmative votes required for legislative action, and limitations on the length of sessions and the subjects which may be acted upon, shall expire two years following the inception of an attack, but nothing herein shall prevent the resumption before such time of the filling of legislative vacancies and the calling of elections for the General Assembly in accordance with applicable constitutional and statutory provisions. The Governor, acting by proclamation, or the General Assembly, acting by concurrent resolution, may from time to time extend or restore such authority or the operation of any of such provisions upon a finding that events render the extension or restoration necessary, but no extension or restoration shall be for a period of more than one year.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1052, H2416)

No. 895

An Act To Authorize The Establishment Of An Emergency Seat Of Government For The State And To Authorize The Exercise Of Governmental Powers And Functions Thereat.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Declaration of emergency seats of government by Governor.—Whenever, due to an emergency resulting from the

effects of enemy attack, or the anticipated effects of a threatened enemy attack, it becomes imprudent, inexpedient or impossible to conduct the affairs of state government at the normal location of the seat thereof in the City of Columbia in Richland County, the Governor shall, as often as the exigencies of the situation require, by proclamation, declare an emergency temporary location, or locations, for the seat of government at such place, or places, within or without this State as he may deem advisable under the circumstances, and shall take such action and issue such orders as may be necessary for an orderly transition of the affairs of State government to such emergency temporary location, or locations. Such emergency temporary location, or locations, shall remain as the seat of government until the General Assembly shall by law establish a new location, or locations, or until the emergency is declared to be ended by the Governor and the seat of government is returned to its normal location.

SECTION 2. Official acts at emergency location to be valid.—

During such time as the seat of government remains at such emergency temporary location, or locations, all official acts now or hereafter required by law to be performed at the seat of government by any officer, agency, department or authority of this State, including the convening and meeting of the General Assembly in regular, extraordinary, or emergency session, shall be as valid and binding when performed at such emergency temporary location, or locations, as if performed at the normal location of the seat of government.

SECTION 3. Provisions of act to control.—The provisions of this act shall control and be supreme in the event it shall be employed notwithstanding the provisions or any other law to the contrary or in conflict herewith.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1053, H2417)

No. 896

An Act To Provide, In The Event Of Attack Upon The United States, For The Continuity Of The Executive And Judicial Functions Of The Government Of The State And The Governments Of Political Subdivisions Of The State By Providing For Additional Officers Who Can Act As Governor; To Provide For Emergency Interim Succession To Other Executive Offices Of The State And Its Political Subdivisions; To Provide For Special Emergency Judges; And To Authorize Political Subdivisions To Enact Resolutions And Ordinances Relating To The Subject.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Title.—This act shall be known and may be cited as the “Emergency Interim Executive and Judicial Succession Act.”

SECTION 2. Findings of General Assembly.—Because of the existing possibility of attack upon the United States of unprecedented size and destructiveness, and in order, in the event of such an attack, to assure continuity of government through legally constituted leadership, authority and responsibility in offices of the government of the State and its political subdivisions; to provide for the effective operation of governments during an emergency; and to facilitate the early resumption of functions temporarily suspended, it is found and declared to be necessary to provide for additional officers who can exercise the powers and discharge the duties of Governor; to provide for emergency interim succession to governmental offices of this State and its political subdivisions in the event the incumbents thereof (and their deputies, assistants or other subordinate officers authorized, pursuant to law, to exercise all of the powers and discharge the duties of such offices—hereinafter referred to as deputies) are unavailable to perform the duties and functions of such offices; and to provide for special emergency judges who can exercise the powers and discharge the duties of judicial offices in the event regular judges are unavailable.

SECTION 3. Definitions.—Unless otherwise clearly required by the context, as used in this act:

(a) “Unavailable” means either that a vacancy in office exists and there is no deputy authorized to exercise all of the powers and discharge the duties of the office, or that the lawful incumbent of the

office (including any deputy exercising the powers and discharging the duties of an office because of a vacancy) and his duly authorized deputy are absent or unable to exercise the powers and discharge the duties of the office.

(b) "Emergency interim successor" means a person designated pursuant to this act, in the event the officer is unavailable, to exercise the powers and discharge the duties of an office until a successor is appointed or elected and qualified as may be provided by the Constitution, statutes, charters and ordinances or until the lawful incumbent is able to resume the exercise of the powers and discharge the duties of the office.

(c) "Office" includes all State and local offices, the powers and duties of which are defined by the Constitution, statutes, charters, and ordinances, except the office of Governor, and except those in the General Assembly and the judiciary.

(d) "Attack" means any attack or series of attacks by an enemy of the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of bombs, missiles, shellfire, or atomic, radiological, chemical, bacteriological, or biological means or other weapons or processes.

(e) "Political subdivision" includes counties, cities, towns, villages, townships, districts, authorities, and other public corporations and entities whether organized and existing under charter or general law.

SECTION 4. Emergency interim successors to office of Governor—exceptions.—In the event that the Governor, for any of the reasons specified in the Constitution, is not able to exercise the powers and discharge the duties of his office, or is unavailable, and in the event the Lieutenant Governor, President pro tempore of the Senate, and the Speaker of the House of Representatives be for any of the reasons specified in the Constitution not able to exercise the powers and discharge the duties of the office of Governor, or be unavailable, the Secretary of State, State Treasurer or Attorney General shall, in the order named, if the preceding named officers be unavailable, exercise the powers and discharge the duties of the office of Governor until a new Governor is elected and qualifies, or until a preceding named officer becomes available; *provided*, however, that no emergency interim successor to the aforementioned offices may serve as Governor.

SECTION 5. Designation of successors — powers — duties — vacancies.—All State officers, subject to such regulations as the Governor (or other official authorized under the Constitution and this act to exercise the powers and discharge the duties of the office of Governor) may issue, shall, upon approval of this act, in addition to any deputy authorized pursuant to law to exercise all of the powers and discharge the duties of the office, designate by title emergency interim successors and specify their order of succession. The officer shall review and revise, as necessary, designations made pursuant to this act to insure their current status. The officer will designate a sufficient number of such emergency interim successors so that there will be not less than three nor more than seven such deputies or emergency interim successors or any combination thereof, at any time. In the event that any State officer is unavailable following an attack, and in the event his deputy, if any, is also unavailable, the powers of his office shall be exercised and the duties of his office shall be discharged by his designated emergency interim successors in the order specified. Such emergency interim successors shall exercise the powers and discharge the duties only until such time as the Governor under the Constitution or authority other than this act (or other official authorized under the Constitution or this act to exercise the powers and discharge the duties of the office of Governor) may, where a vacancy exists, appoint a successor to fill the vacancy or until a successor is otherwise appointed, or elected and qualified as provided by law; or an officer (or his deputy or a preceding named emergency interim successor) becomes available to exercise or resume the exercise of the powers and discharge the duties of his office.

SECTION 6. Emergency interim successors to municipal offices.—With respect to local offices for which the governing bodies of cities, towns, villages, townships, and counties may enact resolutions or ordinances relative to the manner in which vacancies will be filled or temporary appointments to office made, such bodies are hereby authorized to enact resolutions or ordinances providing for emergency interim successors to offices of such governmental units. Such resolutions and ordinances shall not be inconsistent with the provisions of the act.

SECTION 7. Emergency interim successors for political subdivisions—powers—duties.—The provisions of this section shall be appli-

cable to officers of political subdivisions (including, but not limited to, cities, towns, villages, townships and counties, as well as school, fire, power, water, sewer, watershed conservation, soil conservation, public service and drainage districts) not included in Section 6. Such officers, subject to such regulations as the executive head of the political subdivision may issue, shall upon approval of this act, designate by title (if feasible) or by named person, emergency interim successors and specify their order of succession. The officer shall review and revise, as necessary, designations made pursuant to this act to insure their current status. The officer will designate a sufficient number of persons so that there will be not less than three, nor more than seven, deputies or emergency interim successors or any combination thereof, at any time. In the event that any officer of any political subdivision (or his deputy provided for pursuant to law) is unavailable, the powers of the office shall be exercised and duties shall be discharged by his designated emergency interim successors in the order specified. The emergency interim successor shall exercise the powers and discharge the duties of the office to which designated until such time as a vacancy which may exist shall be filled in accordance with the Constitution or statutes; or until the officer (or his deputy or a preceding emergency interim successor) again becomes available to exercise the powers and discharge the duties of his office.

SECTION 8. Emergency interim successors for justices and judges.—In the event that any judge of any court is unavailable to exercise the powers and discharge the duties of his office, and in the event no other judge authorized to act in the event of absence, disability or vacancy or no special judge appointed in accordance with the provisions of the Constitution or statutes is available to exercise the powers and discharge the duties of such office, the duties of the office shall be discharged and the powers exercised by the special emergency judges hereinafter provided for:

(a) The Governor, upon approval of this act, shall designate for each member of the Supreme Court special emergency judges in the number of not less than three nor more than seven for each member of the court, and shall specify the order of their succession.

(b) The Chief Justice of the Supreme Court in consultation with the other members of the court, upon approval of this act, shall designate for each court of record except the Supreme Court, special emergency judges in the number of not less than three nor more

than seven for each judge of the courts, and shall specify the order of their succession.

(c) The judge of the circuit court, upon approval of this act, shall designate not less than three special emergency judges for courts not of record within that circuit and shall specify their order of succession.

The special emergency judges shall, in the order specified, exercise the powers and discharge the duties of such office in case of the unavailability of the regular judge or persons immediately preceding them in the designation. The designating authority shall review and revise, as necessary, designations made pursuant to this act to insure their current status.

The special emergency judges shall discharge the duties and exercise the powers of such office until such time as a vacancy which may exist shall be filled in accordance with the Constitution and statutes or until the regular judge or one preceding the designee in the order of succession becomes available to exercise the powers and discharge the duties of the office.

SECTION 9. Oath of successors.—At the time of their designation, emergency interim successors and special emergency judges shall take such oath as may be required for them to exercise the powers and discharge the duties of the office to which they may succeed. Notwithstanding any other provision of law, no person, as a prerequisite to the exercise of the powers or discharge of the duties of an office to which he succeeds, shall be required to comply with any other provision of law relative to taking office.

SECTION 10. Successors to exercise powers and duties only after attack—termination of successor's authority.—Officials authorized to act as Governor pursuant to this act, emergency interim successors and special emergency judges are empowered to exercise the powers and discharge the duties of an office as herein authorized only after an attack upon the United States, as defined herein, has occurred. The General Assembly by concurrent resolution, may at any time terminate the authority of the emergency interim successors and special emergency judges to exercise the powers and discharge the duties of office as herein provided.

SECTION 11. Successors to serve at pleasure of designating authority.—Until such time as the persons designated as emergency interim successors or special emergency judges are authorized

to exercise the powers and discharge the duties of an office in accordance with this act, including Section 10 hereof, the persons shall serve in their designated capacities at the pleasure of the designating authority and may be removed or replaced by the designating authority at any time, with or without cause.

SECTION 12. Governor to adjudicate disputes.—Any dispute concerning a question of fact arising under this act with respect to an office in the executive branch of the State government (except a dispute of fact relative to the office of Governor) shall be adjudicated by the Governor (or other official authorized under the Constitution and this act to exercise the powers and discharge the duties of the office of Governor) and his decision shall be final.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1054, H2418)

No. 897

An Act To Authorize Political Subdivisions Of This State To Establish An Emergency Temporary Location, Or Locations, For Their Seats Of Government And To Exercise Governmental Powers And Functions Thereat.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Establishment of emergency locations for seats of government of political subdivisions.—Whenever, due to an emergency resulting from the effects of enemy attack, or the anticipated effects of a threatened enemy attack, it becomes imprudent, inexpedient or impossible to conduct the affairs of local government at the regular or usual place thereof, the governing body of each political subdivision of this State may meet at any place within or without the territorial limits of such political subdivision on the call of the presiding officer or any two members of such governing body, and shall proceed to establish and designate by ordinance, resolution or other manner, alternate or substitute sites or places as the emergency temporary location, or locations, of government where all, or any part, of the public business may be transacted and conducted during the emergency situation. Such sites or places may be within or without

the territorial limits of such political subdivision and may be within or without this State.

SECTION 2. Conduct of public business at emergency locations.—During the period when the public business is being conducted at the emergency temporary location, or locations, the governing body and other officers of a political subdivision of this State shall have and possess and shall exercise, at such location, or locations, all of the executive, legislative and judicial powers and functions conferred upon such body and officers by or under the laws of this State. Such powers and functions may be exercised in the light of the exigencies of the emergency situation without regard to or compliance with time consuming procedures and formalities prescribed by law and pertaining thereto, and all acts of such body and officers shall be as valid and binding as if performed within the territorial limits of their political subdivision.

SECTION 3. Act to control.—The provisions of this act shall control and be supreme in the event it shall be employed notwithstanding any statutory, charter or ordinance provision to the contrary or in conflict herewith.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1055, H2419)

No. 898

An Act To Amend Section 10-1401, Code Of Laws Of South Carolina, 1952, Relating To Orders Of References By Consent And In Default Cases, So As To Delete The Restriction Upon The Making Of Such Orders By The Clerk Of Court.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 10-1401, 1952 Code, amended—orders for references by consent and in default cases.—Section 10-1401, Code of Laws of South Carolina, 1952, is amended by striking on line three the words “, if taken in vacation,” so that when amended the section shall read as follows:

“Section 10-1401. Any of the issues in an action, whether of fact or of law or both, may be referred upon the written consent of the

parties and the guardian ad litem of infants. In such case the order may be made by the clerk. The issues may also be referred by the clerk in default cases."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1056, H2421)

No. 899

An Act To Add New Section 47-1018 To The Code Of Laws Of South Carolina, 1952, So As To Provide For The Recording Of Subdivision Plats Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. 1952 Code amended—Section 47-1018 added—approval of plats by municipality before recording.—Section 47-1018 is added to the Code of Laws of South Carolina, 1952, to read as follows:

"Section 47-1018. When the legislative body of an incorporated municipality has adopted subdivision regulations as part of a zoning ordinance under the authority of this article, such regulations or ordinance may provide that no plat of a subdivision of land within such municipality shall be filed or recorded in the county Register of Mesne Conveyance office or Clerk of Court's office until it shall have been approved by the designated administrative officer of such municipality, and the approval entered in writing on the plat by such officer."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1059, H2462)

No. 900

An Act To Amend Section 58-1520, Code Of Laws Of South Carolina, 1952, Relating To Occupancy Of Taxis In Cities Having A Population In Excess Of Seventy Thousand Inhabitants Ac-

cording To The Latest Official United States Census, So As To Remove A Limitation As To Passenger Occupancy Of The Front Seat.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 58-1520, 1952 Code, amended—taxi answering call not to contain anyone other than driver except with permission of caller.—Section 58-1520, Code of Laws of South Carolina, 1952, is amended by striking beginning on line two the following: "No passenger or other person shall at any time be permitted to ride on the front seat of such car with the driver, unless there are three or more passengers riding on the back seat." The section when amended shall read as follows:

"Section 58-1520. When answering a call a public vehicle for hire shall contain no one other than the driver except with the permission of the person so calling."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1061, H2497)

No. 901

An Act To Set The Terms Of Magistrates In Darlington County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Darlington County—terms of magistrates—vacancies.—All magistrates henceforth appointed in Darlington County shall be for terms of four years each and until their successors have been appointed and qualified. Appointments to fill vacancies for unexpired terms shall be for the remaining portion of the unexpired term.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1062, H2500)

No. 902

An Act To Amend Section 15-282, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Terms Of Court In The Twelfth Circuit, So As To Further Provide For The Terms In Florence And Marion Counties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (2) of Section 15-282, 1952 Code, amended—terms of court in Marion County.—Subsection (2) of Section 15-282 of the 1952 Code is amended by striking it in its entirety and inserting in lieu thereof the following :

“(2) Marion County.—The court of general sessions for Marion County shall be held at Marion on the third Monday in February, on the third Monday in April, on the third Monday in June, and on the third Monday in October, in each case for one week. The court of common pleas for the county shall be held at Marion on the third Monday in March for one week, on the first Monday in May for one week, on the second Monday in May for one week, on the third Monday in September for one week, on the fourth Monday in September for one week and on the fourth Monday in November for two weeks. *Provided*, that equity and non-jury matters shall be held on the fourth Monday in February and on the fourth Monday in June.”

SECTION 2. Subsection (3) of Section 15-282, 1952 Code, amended—terms of court in Florence County.—Subsection (3) of Section 15-282 of the 1952 Code, as amended, is further amended by striking it in its entirety and inserting in lieu thereof the following :

“(3) Florence County.—The court of general sessions for Florence County shall be held at Florence on the third Monday in January for one week, on the fourth Monday in January for one week, on the first Monday in March for one week, on the second Monday in March for one week, on the fourth Monday in April for one week, on the first Monday in June for one week, on the second Monday in June for one week, on the first Monday in October for one week, on the second Monday in October for one week and on the second Monday in December for one week. The court of common pleas for the county shall be held at Florence on the first Monday in January for one week, on the second Monday in January for one week, on the

first Monday in February for one week, on the second Monday in February for one week, on the first Monday in April for one week, on the second Monday in April for one week, on the third Monday in May for one week, on the fourth Monday in May for one week, on the first Monday in September for one week, on the second Monday in September for one week, on the first Monday in November for one week and on the second Monday in November for one week. *Provided*, that the first day of each two-week term shall be for equity, non-jury matters and call of calendar, only."

SECTION 3. Time effective.—This act shall take effect May 1, 1962.

Approved the 7th day of April, 1962.

(R1063, H2502)

No. 903

An Act To Amend Sections 61-362 And 61-364, Code Of Laws Of South Carolina, 1952, Relating To Membership Of The Board Of Trustees Of The Firemen's Pension Fund And The Investment Of Such Funds, So As To Increase The Board's Membership And To Further Provide For The Investment Of Pension Funds; And To Add Section 61-366.1 To The 1952 Code, So As To Provide For The Refund Of Pension Payments To Firemen Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 61-362, 1952 Code, amended—trustees of firemen's pension fund—number—terms—no compensation—officers.—Section 61-362 of the 1952 Code is amended by striking it out and inserting in lieu thereof the following :

"Section 61-362. Each such fund shall be administered by a board of trustees of the firemen's pension fund composed of seven members consisting of the mayor, the commissioner in charge of the fire department and the chief of the fire department, the city clerk and treasurer, all of whom shall be ex officio members of the board, and two firemen elected by a majority of the members of the fire department. The first term of one fireman shall be for a period of two years and the other for a period of four years. Thereafter, their terms shall be for a period of four years. All of the members shall

serve without compensation. The mayor shall be chairman and the commissioner in charge of the fire department shall be vice chairman of the board. The city clerk and the treasurer shall serve as secretary and treasurer of the board and custodians of the fund and shall keep the records and accounts of the receipts and disbursements."

SECTION 2. Section 61-364, 1952 Code, amended—investment of funds—warrants.—Section 61-364 of the 1952 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 61-364. The board shall invest at least fifty per cent of the funds in bonds of the United States or of this State or of municipalities within the class affected hereby. The funds shall be paid out only upon warrants duly approved by a majority of the board."

SECTION 3. 1952 Code amended—Section 61-366.1 added—return of contributions upon resignation, discharge or death.—Section 61-366.1 is added to the 1952 Code, to read as follows:

"Section 61-366.1. (a) Any fireman who voluntarily resigns or is discharged for cause from the fire department shall be refunded his contributions to the fund. The refund shall be the actual contributions of said fireman or his contributions as determined by the trustees from available records, together with such interest as may be determined by the trustees; *provided*, that a fireman discharged for cause shall receive no interest.

(b) In the event of death of any fireman before receiving any benefits under this chapter, contributions to the fund will be refunded in the amount of his actual contributions to said fund or his contributions as determined by the trustees from available records, together with such interest as may be determined by the trustees; said refund to be paid to the beneficiary or beneficiaries named by such fireman.

(c) In the event of death of any retired fireman before receiving benefits equal to his contributions, a refund shall be made to his beneficiary in an amount equal to his actual contributions or his contributions as determined by the trustees from available records, less such amounts paid to such retired fireman prior to his death. Such refund may be made to the beneficiary in a lump sum or in monthly payments as may be determined by the trustees of the fund."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1064, H2506)

No. 904

An Act To Provide That Certain Members Of The General Assembly Who Are Members Of The South Carolina Retirement System May Elect To Remain Members Of The System Following Termination Of Service In The General Assembly.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain members of General Assembly may elect to remain members of South Carolina Retirement System—contributions.—Members of the General Assembly who have been members of the South Carolina Retirement System for at least ten years may elect to remain a member of the system within one year following termination of service in the General Assembly and shall make yearly contributions to the system in an amount equivalent to contributions payable by active members of the General Assembly.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1065, H2515)

No. 905

An Act To Create The Anderson-Oconee-Pickens Technical Education And Training District, To Provide A Governing Commission Therefor, And To Define Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson-Oconee-Pickens Technical Education and Training District created—commission.—There is hereby created the Anderson-Oconee-Pickens Technical Education and Training District, consisting of the Counties of Anderson, Oconee, and Pickens, which shall be controlled and managed by a commission known as the Anderson-Oconee-Pickens Technical Education and Training Commission (hereinafter called the Commission).

SECTION 2. Commission—members—terms.—The Commission shall consist of nine members, three from each county, to be elected by a majority of the legislative delegations of the respective counties, including the senators. The term for one member from each coun-

ty shall expire on April 1, 1963; the term for one member from each county shall expire on April 1, 1964; and the term for one member from each county shall expire on April 1, 1965. The successors of the original members shall serve for terms of three years or until their successors have been elected and qualified.

SECTION 3. Officers—rules and regulations.—The Commission shall elect from its number a chairman and such other officers as may be deemed expedient, and shall make such rules and regulations for the conduct of its business as are not contrary to law.

SECTION 4. Technical Education Center — program.—The Commission shall provide for the creation, maintenance and operation of a technical educational center to be located in one of the three counties as the Commission shall designate, and there shall be developed and carried out at such center a program of adult pre-employment, adult extension, and high school pre-employment training for residents of the district and such other persons as the Commission shall designate, upon such terms as the Commission shall require.

SECTION 5. Cost of operation and maintenance—divided between counties.—All expenses of original cost and cost of operation and maintenance of the center, and expenses of the Commission, shall be borne by the three counties as follows: Anderson County, fifty per cent; Oconee County, twenty-five per cent; and Pickens County, twenty-five per cent.

SECTION 6. Disposition of center.—The center, including the real property, shall not be disposed of except upon approval of a majority of the delegations of all three counties, including the senators.

SECTION 7. Powers of commission.—The Commission is vested with authority to:

1. Employ personnel;
2. Accept and administer funds or equipment from other governmental agencies, individuals, or corporations;
3. Enter into such contracts as may be necessary to carry out the purposes of the center;
4. Acquire, own, and sell property, real and personal.

SECTION 8. Audit.—The Commission shall furnish to the members of the three legislative delegations who provide county funds an annual audit of the receipts and expenditures of the center.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1066, H2519)

No. 906

An Act To Create The Spartanburg County Commission For Technical Training; To Define Its Powers And Duties, And To Repeal Act No. 387 Of The Acts Of 1961 Relating To The Spartanburg County Committee For Technical Training.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County Commission for Technical Training created — members — terms — officers — meetings—reports.—There is hereby created the Spartanburg County Commission for Technical Training which shall be a body politic and corporate and which shall consist of nine members. The present members of the Spartanburg County Committee for Technical Training shall continue to hold office as members of this commission for the terms for which they have been appointed, and the new members shall thereafter be appointed for terms of four years each, upon the recommendation of a majority of the Spartanburg County Legislative Delegation in such manner that each of the seven school districts of the county shall have one member and School District No. 7 shall have two members with one member being appointed from the county at large. The Chairman of the Spartanburg County Planning and Development Board and the County Superintendent of Education shall be ex officio members. The commission shall meet as soon after appointment as practicable and shall organize by electing a chairman and such other officers as it deems necessary. Thereafter, the commission shall meet upon the call of the chairman or a majority of its members. It shall make periodic reports of its activities and progress to the legislative delegation and the board of education.

SECTION 2. Duties of commission—powers—considered operating unit for purposes of borrowing.—The commission shall be responsible for the development and implementation of an adequate vocational and technical training program, which shall include, but not

be limited to, the following: (1) a crash program coordinated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries; (2) technical training programs primarily designed to train high school graduates as technicians for initial employment in industry; and (3) provide trade extension courses to persons who desire employment in industries and also to those presently employed who wish to improve their skills. The commission, in carrying out these programs, shall cooperate with all school districts and all county, State and Federal agencies designed to further technical education. The commission may purchase or lease such equipment, hire such personnel, including a director and instructors, enter into such contracts, make such rules and regulations and may do such other things as may be necessary in order to carry out the provisions of this act, or to qualify to receive State or Federal aid under any present or future statute, policy or regulation. The commission shall be considered an operating unit under the general laws governing the lending of funds for capital improvements by the State Educational Finance Commission.

SECTION 3. Funds—accounting—may accept gifts and grants.—The commission shall receive and administer the funds received by it from all sources and make its accounting to the Spartanburg County Board of Education annually in the same manner as school districts. The commission may receive gifts or grants of funds or property of any nature.

SECTION 4. Budget.—The commission shall submit a budget to the Spartanburg County Board of Education on or before March first of each year. The county board of education shall recommend approval or disapproval of the budget to the Spartanburg County Legislative Delegation.

SECTION 5. Repeal—Act 387 of 1961 repealed.—Act No. 387 of the Acts of 1961 is hereby repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1069, H2523)

No. 907

An Act To Create The School District Of Georgetown County; To Define Its Area; To Provide For The Appointment Of A Board Of Trustees Therefor To Be Known As The Georgetown County Board Of Education; To Prescribe The Functions And Powers Of The School District And Its Board; To Make Provision For Borrowing By The District; To Prescribe The Terms And Conditions Under Which Such Money May Be Borrowed; To Make Provision For Its Payment; And To Repeal Sections 21-2721 Through 21-2755, And Sections 21-2757 Through 21-2785, Code Of Laws Of South Carolina, 1952, Relating To School Matters In Georgetown County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School District of Georgetown County created—area—to assume assets and liabilities of county board of education—shall not assume bonded indebtedness.—The General Assembly prescribes that the entire area of Georgetown County shall be constituted into a single school district, effective July 1, 1962. To that end there is hereby created The School District of Georgetown County, which shall at all times be coextensive in area with the county. If hereafter, pursuant to law, the area of the county shall be enlarged or diminished, then such action shall correspondingly enlarge or diminish the area of The School District of Georgetown County. The School District of Georgetown County shall assume all assets and liabilities of the County Board of Education of Georgetown County, except that it shall not assume any bonded indebtedness heretofore incurred by the county, whether the same be outstanding in the form of bonds, notes, or other instruments.

SECTION 2. Board of trustees—members—appointment—terms—vacancies—compensation.—All corporate powers, functions and duties of The School District of Georgetown County shall be exercised and performed by a board of trustees to be known as "The Georgetown County Board of Education." Hereinafter The School District of Georgetown County is referred to as the school district, and The Georgetown County Board of Education is referred to as the board. The board shall be composed of nine persons, of whom eight shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation of Georgetown County, including the Senator. Of those initially appointed, two shall hold office for

terms ending June 30, 1963; two shall hold office for terms ending June 30, 1964; two shall hold office for terms ending June 30, 1965; and two shall hold office for terms ending June 30, 1966. The initial recommendation made to the Governor shall specify the duration of the terms intended for the initial appointees. Upon the expiration of each term of office of the appointive members of the board, a successor shall be appointed in the manner of the original appointment for a four-year term. In the event of a vacancy in office of an appointed member of the board, however caused, a successor shall be appointed in the manner of the original appointment for the balance of the unexpired term. Notwithstanding the expiration of the term of office of any appointive board member, he shall continue to serve until his successor shall have been appointed and qualifies, but any delay in appointing a successor shall not extend the term of such successor. Any appointive board member may succeed himself. The ninth member shall be the county superintendent of education who shall be, ex officio, a member of the board, and who shall be elected as hereafter provided. Each member of the board, except the superintendent, shall receive a per diem for each meeting at which he shall actually be in attendance.

SECTION 3. County superintendent of education—election—term—vacancy—duties—expiration of term of present superintendent.—The county superintendent of education shall be elected in each general election held in presidential election years. He shall take office on July first of the year next ensuing and shall hold office until his successor is elected and qualifies. In the event of a vacancy in the office of county superintendent, the remaining members of the board shall fill the vacancy by appointment for the balance of the unexpired term. The county superintendent of education shall be the chief executive, or administrative officer, of the school district. The present county superintendent of education shall continue in office until June 30, 1965.

SECTION 4. Meetings—officers—terms—may succeed themselves—records—minutes.—As soon as convenient following the appointment and qualification of the board, all members shall meet and organize, electing one of its members as chairman, another as vice-chairman, and a third as secretary. Terms of such offices shall be fixed by the board for periods of not exceeding two years. Persons holding such offices shall be eligible to succeed themselves. The secretary shall keep proper records for the board, including the minutes

of its meetings. The board shall hold regular monthly meetings, and special meetings at such other times as may be necessary, all of which shall be open to the public.

SECTION 5. Powers of trustees.—The board shall have general management, control and supervision of all phases of public school education throughout the school district. The board shall have complete charge of the expenditure of all school moneys. In addition, the board shall have power to:

1. Adopt and alter bylaws prescribing the procedures to be followed by the board in its meetings and other functions, including the power to establish a quorum, which shall not be less than five members.

2. Adopt a corporate seal.

3. Exercise all powers now or hereafter vested by general law in the boards of trustees of the several school districts of the State and in county boards of education.

4. Prescribe that persons handling financial matters for the school district be bonded in such amounts as the board shall determine.

5. Establish and afterwards revise, when necessary, attendance areas within the school district and shall appoint advisory boards of trustees for such of the schools of the school district as the board shall determine. The advisory boards of trustees shall be composed of such members and have such terms of office as the board may prescribe, and they shall exercise those duties and responsibilities delegated to them in writing by the board. *Provided*, however, that all present members of existing local advisory boards of trustees shall be appointed to continue their present functions.

6. Employ such personnel as is necessary for the efficient operation of all schools in the district and to fix the compensation to be paid therefor.

7. Distribute all State and Federal funds received by the school district.

8. Adopt administrative policies and procedures.

9. Purchase land, plan and construct new buildings, and keep existing buildings in good repair and useable condition.

10. (a) Borrow in anticipation of the collection of taxes or State aid. The borrowing shall be in the form of notes, maturing not later than one year from the date of issue, bearing such rate, or rates, of interest as the board shall determine. The principal and interest of such notes shall be payable from the anticipated funds for which they

are issued, and such funds shall be pledged for the payment thereof, and all such notes shall be signed by the chairman of the board.

(b) Borrow in anticipation of allotments from the State Educational Finance Commission for construction of school buildings, and to pledge as security for such loans the proceeds of such allotments. The borrowing shall be in the form of notes signed by the chairman of the board, maturing and bearing such rate, or rates, of interest as the board shall determine. The board shall have the right to pledge such other funds or expected income for the repayment of principal and interest on such notes, as to it may appear to the best interest of the school district.

11. Exercise eminent domain. The procedure for exercising eminent domain may be any of those prescribed by law for public bodies or political divisions of the State.

12. Determine and evaluate the educational program in the schools. The advisory board, administrative, and teaching personnel shall formulate an educational program for each school in compliance with the general program of the county board of education. This program shall be continually evaluated by local and county authorities.

13. Establish and maintain a central purchasing system for the purchase of all contractual services, equipment and supplies. All equipment and supplies shall be purchased by the board, or pursuant to rules promulgated by the board.

14. Establish and operate a comprehensive pupil transportation system through the school district.

Subject to the provisions of general State law relating to the transportation of pupils, the board is authorized and directed to provide an efficient, businesslike, safe and adequate transportation system for the school children of the school district, and to operate it under such rules and regulations as it deems necessary to effectuate this function.

15. Cause regular annual audits, and, when necessary, special audits of all school funds in the school district. One copy of each such audit shall be kept in the office of the board, and another copy shall be filed in the office of the Clerk of Court for Georgetown County to be open to the public.

16. Maintain a continuous school census.

17. Adopt a system of budgetary controls.

18. Prescribe regulations to govern teachers' salaries in all schools of the school district.

19. Conduct surveys and upon the results being obtained, reorganize attendance areas, curricula, supervisory programs, auxiliary services and all other parts of the educational program of the schools of the school district.

20. Regulate admission of pupils to the public schools of the school district, and designate the schools pupils shall attend, when admitted.

21. Draw warrants upon school funds in the hands of the county treasurer for the payment of services contracted for by the board, for the payment of insurance premiums, for teachers' retirement, for Workmen's Compensation premiums, for the payment of withholding taxes from salaries, and for all other purposes authorized by law.

22. Equalize public educational opportunity among the children of the county.

23. Control and supervise the expenditures of all moneys for capital outlay.

SECTION 6. District unit for financing—administration of funds.—The school district shall be the unit for all financing and for receiving Federal and State funds. The board shall be charged with the responsibility of apportioning and distributing the funds to the several schools of the school district on an equitable and fair basis. In administering school funds, the board shall have as its objective equalization of public educational opportunity to all children within the school district.

SECTION 7. Budget—tax levy.—On or before July first of each year, the board shall prepare a complete budget for the schools of the school district for the succeeding school year. This budget shall show proposed expenditures for all purposes, including construction and maintenance of buildings, operation of the transportation system, debt amortization, operation of the functions of the board, incidental school expenses, salaries for all faculty members and employees, and such other items as may appear necessary. Proposed expenditures shall be broken down to show the expenditures to be made in the administrative areas of the school district. The budget shall be accompanied by a report of expenditures for the then current year and for the preceding year, set forth as to be easily compared, together with any statistics and analysis that would contribute to a full and complete understanding of both current and proposed expenditure.

For the purpose of informing the General Assembly of the needs of the school district, this budget shall be submitted to the county

legislative delegation at a joint meeting of the board and the county legislative delegation which shall be called by the chairman of the board on or before July first. Following such meeting final action on such budget shall be taken and thereupon the chairman of the board shall give notice of the amount of money required to be raised by local tax levy to the auditor and the treasurer of the county, who shall, respectively, levy and collect such ad valorem tax as shall be necessary to raise the sum specified in the notice.

SECTION 8. Administration of future legislative programs.—In the event of changes in the general State law relating to schools, which require action at the local level, the board shall constitute the agency for administering such programs as may be provided by the State within the school district.

SECTION 9. Repeal—Sections 21-2721 through 21-2755 and Sections 21-2757 through 21-2785, 1952 Code, repealed.—Section 21-2721 through 21-2755 and Sections 21-2757 through 21-2785, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith, are repealed, it being the intent that this act shall constitute the sole special statutory law relating to the school district of Georgetown County.

SECTION 10. Time effective.—This act shall take effect June 30, 1962.

Approved the 7th day of April, 1962.

(R1070, H2529)

No. 908

An Act To Amend Act No. 364 Of 1957, Relating To Fees For Jurors In Magistrates' Courts In Lee County, So As To Increase Such Fees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 364, of 1957 amended—Lee County—fees of magistrates' jurors—certificate.—Section 1 of Act No. 364 of 1957 is amended on line 2 by striking the word "two" and inserting in lieu thereof the word "three". The section when amended shall read as follows :

"Section 1. Each member of a magistrate's jury in Lee County shall be paid the sum of three dollars per day for actual attendance upon any trial. The magistrate shall deliver to each such juror a certificate after each trial, civil or criminal, signed by the magistrate and directed to the county treasurer, showing the name of the juror, the title of the cause, the date the case was tried, and such fee shall be paid by the county treasurer, as other court expenses are paid."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1071, H2530)

No. 909

An Act To Increase The Compensation Of Circuit Court Jurors In Lee County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Compensation of circuit court jurors in Lee County.—Notwithstanding the provisions of subsection 2 of Section 38-308, Code of Laws of South Carolina, 1952, jurors serving in the Circuit Court in Lee County shall in addition to mileage at the rate of five cents per mile going to and returning from court, receive compensation in the amount of four dollars per day.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1074, H2533)

No. 910

An Act To Amend Section 15-264, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Terms Of Court In The Third Circuit, So As To Change Certain Times For Holding Of Court In Lee And Williamsburg Counties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (2) of Section 15-264, 1952 Code, amended—terms of circuit court in Lee County.—Item (2) of Section 15-264

of the 1952 Code, as last amended by Act 352 of 1957, is further amended by striking beginning on line 7 of the item, as amended, "fourth Monday in November for two weeks" and inserting in lieu thereof "first Monday after the fourth Monday in November for one week", so that when amended the item shall read as follows:

"(2) Lee County.—The court of general sessions for Lee County shall be held at Bishopville on the first Monday in February, on the second Monday in June and on the first Tuesday after the first Monday in September, each for one week. The court of common pleas for the county shall be held at Bishopville on the fourth Monday in March for one week, the first Monday in May for one week, the fourth Monday in September for one week and the first Monday after the fourth Monday in November for one week. But there shall be no jury trials at the summer term of the court of general sessions unless a majority of the Lee County Bar Association deems it advisable and so notifies the judge of the circuit."

SECTION 2. Item (4) of Section 15-264, 1952 Code—amended—terms of circuit court in Williamsburg County.—Item (4) of Section 15-264 of the 1952 Code, as last amended by Act 352 of 1957, is further amended by striking the second sentence in its entirety and inserting in lieu thereof the following: "The court of common pleas shall be held at Kingstree on the third Monday in March for one week, on the fourth Monday in May for one week, on Wednesday first succeeding the first Monday in June for one week and on the third Monday in November for two weeks.", so that when amended the item shall read as follows:

"(4) Williamsburg County.—The court of general sessions for Williamsburg County shall be held at Kingstree on the second Monday after the second Monday in February, on the first Monday in June and on the third Monday in September, each for one week. The court of common pleas shall be held at Kingstree on the third Monday in March for one week, on the fourth Monday in May for one week, on Wednesday first succeeding the first Monday in June for one week and on the third Monday in November for two weeks. But no jury trial of civil cases shall be had at the June term except by consent. The petit jurors for the first and third terms of the court of general sessions shall not be required to attend the first, second and fourth terms of the court of common pleas, but separate juries shall be drawn and summoned for such courts."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1079, H2544)

No. 911

An Act To Amend Section 65-966, Code Of Laws Of South Carolina, 1952, Relating To County License Fees For Carnivals, So As To Increase The Amount Of Such Fees In Counties Having A Population In Excess Of Two Hundred Ten Thousand Inhabitants According To The Latest Official United States Census From Twenty-Five Dollars Per Day To Fifty Dollars Per Day.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-966, 1952 Code, amended—county license fees for carnivals or other traveling shows—proviso added for counties with population in excess of two hundred ten thousand.—Section 65-966 of the 1952 Code is amended by adding at the end thereof the following proviso: "*Provided*, that the license fee in counties having a population in excess of two hundred ten thousand inhabitants according to the latest official United States Census shall be fifty dollars for each day the carnival company or other show shall be exhibited."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1080, H2546)

No. 912

An Act To Authorize The Organization Of Farmers Associations; To Provide For Their Powers, Duties And Membership And To Authorize The Associations To Borrow Money To Provide Housing And Related Facilities For Domestic Farm Labor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—As used in this act:

(1) The term "housing" means living quarters and related facilities for use by domestic farm labor and their families.

(2) The term "related facilities" means community rooms or buildings such as those used as dining halls or infirmaries or for educational or assembly purposes, or other essential services facilities such as central heating, bathing facilities, or domestic water supply.

(3) The term "domestic farm labor" means citizens of the United States who receive a substantial portion of their income as laborers on farms in the United States.

(4) The term "contract or repair" means to construct any structures or facilities or to rehabilitate, alter, convert, improve, or acquire and relocate existing structures or facilities.

SECTION 2. Procedure for formation of cooperative association of farmers—purposes.—Five or more persons, residents of this state or owning a farm in this state, may associate themselves as a cooperative association for the purpose of providing within this state housing and related facilities for domestic farm labor.

SECTION 3. Filing of petition—contents of petition.—They shall file with the Secretary of State a written petition signed by themselves setting forth:

- (1) The names and residences of the petitioners;
- (2) The name of the proposed association which shall include the words "Farmers Association";
- (3) The place at which it proposes to have its principal place of business;
- (4) The amount of capital stock of the association and how and when payable;
- (5) The number of shares into which the capital stock is to be divided and the par value of each share; and
- (6) All other matters which may be desirable to set forth or which the Secretary of State may require.

SECTION 4. Commission of board of incorporators—powers.—Upon the filing of the petition as above and upon the payment of the fee for filing such petition, the Secretary of State shall issue to the petitioners a commission constituting them a board of incorporators and authorizing them to open books of subscription to the capital stock of the proposed association after such public notice, not exceeding ten days, as he may require in such commission.

SECTION 5. Subscriptions to capital stock of association—how payable.—All subscriptions to the capital stock of any association organized under this chapter shall be payable in money or in labor or property at its money value and shall be listed, the labor or the property and the value thereof to be specified in the list of subscriptions. But no subscription in labor or property shall be received unless such labor or property and the value thereof, so to be specified as aforesaid, be approved by the board of incorporators.

SECTION 6. Money paid if labor not performed or property not delivered.—In case of failure to perform the labor or to deliver the property according to the terms of the subscription the money value thereof, as specified in the list of subscriptions, shall be paid by the subscribers.

SECTION 7. Minimum limitation on amount of capital stock—par value.—No association shall be formed under this chapter with a capital stock less than one hundred dollars. The par value of the shares shall not be less than one dollar.

SECTION 8. Limitation on number of shares owned and vote by stockholders.—No stockholder shall own shares of a greater par value than one-fifth of the capital stock of the association or be entitled to more than one vote on any subject arising in the management of the association.

SECTION 9. Meeting of subscribers—election of board of directors.—When not less than fifty per cent of the proposed capital stock shall have been subscribed by bona fide subscribers the board of incorporators shall call all the subscribers together. At such meeting of the subscribers, if a majority of them shall be present in person or by proxy, the subscribers shall proceed to the organization of the association by the election from themselves of a board of directors not less than five nor more than nine in number, each subscriber having one vote and no more.

SECTION 10. Duties of directors—terms—removal—vacancies.—This board of directors shall manage the affairs of the association for such term of office as the bylaws may prescribe and until their successors shall have been elected and shall have qualified and entered upon the discharge of their duties. But a majority of the stockholders at a meeting legally called according to the bylaws of the association may remove any director or officer

for cause and fill the vacancy and thereupon the director or officer so removed shall cease to be a director or officer of the association.

SECTION 11. Officers—election—bond.—The officers of every such association shall be a president, a secretary and a treasurer or a secretary-treasurer combined, who shall be elected annually by the directors. Each of the officers must be a director of the association. The treasurer or secretary-treasurer shall give such bond as the board of directors may require.

SECTION 12. Payment of subscriptions.—The board of directors shall call for the payment of the subscriptions to the capital either in whole or in such installments as it may see fit.

SECTION 13. Payment of subscriptions, further — certificate of compliance with laws — fee — issuance of charter—recordation of charter — disposition of incorporation papers.—Upon the payment to the treasurer or the secretary-treasurer of the association of at least twenty per cent of the aggregate amount of the capital subscribed payable in money and also upon the delivery of at least twenty per cent of the property subscribed to the aggregate amount of the capital stock or upon its delivery being secured by such obligations of the subscribers as the board of directors may approve the board of directors shall, over their own signatures, certify to the Secretary of State that all the requirements for the formation of the association have been complied with. Upon the filing of this return by the directors and the payment of the required fee for filing such return and upon the receipt of the charter fee as now provided by law the Secretary of State shall issue to the board of incorporators a certificate of charter authorizing the association to commence business under the name and for the purposes indicated in the written declaration. The certificate of charter granted by the Secretary of State shall be recorded in the office of the register of mesne conveyances or the clerk for the county in which such association shall have a business office. The board of incorporators shall turn over to the proper officers of the association all subscriptions, lists and other papers which they have taken as incorporators and all such papers shall be as valid as if taken and made by the association.

SECTION 14. Powers of association.—The association provided for in this act shall have the following powers:

(1) To have succession by its corporate name for the period limited in its charter and when no period is limited in perpetuity.

(2) To sue and be sued.

(3) To use a common seal and to alter it at pleasure.

(4) To hold, purchase, lease, mortgage, or otherwise dispose of and convey such real and personal estate as the business of the association requires.

(5) To make contracts under such regulations as may be fixed in the bylaws of the association possessing the same powers in such respects as individuals now enjoy.

(6) To borrow money for the purpose of carrying out the objects of its charter, to make notes, bonds or other evidences of debt and to secure the payment of its obligations by mortgage or deed of trust on any or all of its property and franchises, both real and personal.

(7) To appoint such subordinate officers and agents as the business of the association requires, prescribe their duties and fix their compensation.

(8) To make bylaws not inconsistent with any existing law for the transfer of its stock, the management of its property or the regulation of its affairs.

(9) To expel or suspend members or associates.

(10) Construct, repair, maintain, operate and lease or rent houses, dormitories, community rooms, dining halls, infirmaries, educational or assembly buildings and any other related buildings, including those used for heating, bathing facilities or domestic water supply.

(11) The Board of Directors of the association is authorized to levy assessments or other charges as they may determine, as a source of income, against the stockholders in proportion to the number of shares of stock held by each such stockholder.

SECTION 15. Dissolution of association—notice—certificate.—

Any association organized for the purposes aforesaid which shall have accomplished the purpose for which it has been organized or which may desire to wind up its affairs may do so upon a vote of a two-thirds majority of its members at a meeting of which published notice or written notice mailed to each member shall be given. Such notice shall state the purpose of the proposed meeting. A certificate stating such facts shall be filed with the Secretary of State.

SECTION 16. Certified copy of charter evidence of incorporation.—A certified copy of the charter and any amendment thereof from the Secretary of State or from the clerk of the court or register of mesne conveyances of the county in which such charter is required to be recorded shall be sufficient evidence of the incorporation of any association chartered under this chapter and of any amendment to its certificate of incorporation.

SECTION 17. Secretary of State to file and index charters or amendments.—All papers required to be filed hereunder and all charters or amendments thereof that may be granted shall be filed under proper numbers and indexed by the Secretary of State. The charter or amendments shall be recorded within thirty days after its receipt in the office of the clerk of court or register of mesne conveyances in the county in which the corporation is organized.

SECTION 18. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1085, H2554)

No. 913

An Act To Provide That The Bailiff Or Clerk Of Any Court In Richland County May Serve A Summons For Jury Duty By Registered Or Certified Mail With Return Receipt Requested.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County—service of summons for jury duty by registered or certified mail.—The bailiff or clerk of any court in Richland County may serve a summons for jury duty by registered or certified mail with return receipt requested.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1086, H2555)

No. 914

An Act To Amend Act No. 360 Of The Acts And Joint Resolutions Of 1961 Relating To The Richland-Lexington Counties Joint Planning Commission So As To Delete Certain Census Tracts From The Metropolitan Planning Area.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 360 of 1961, amended—census tracts included in Richland-Lexington Counties Joint Planning Area.—Section 2 of Act No. 360 of 1961 is amended by deleting therefrom the following: "RC101, RC102, RC103, RC114, RC118, RC119, RC120, LC207, LC208, LC209, LC210, LC211, LC212, LC213, LC214", so that when amended the section shall read as follows:

"Section 2. For the purposes of this act the Metropolitan Planning Area is defined as including the following census tracts officially designated as such by the U. S. Bureau of the Census for the 1960 Census as 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, CA201, RC115, MC104, MC105, MC106, MC107, MC108, MC109, MC110, MC111, MC112, MC113, MC116, MC117, MC205, and MC206."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1087, H2558)

No. 915

An Act To Amend Section 28-886, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Size Of Nets For The Catching Of Shad, So As To Change The Size Of The Mesh Of Such Nets.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-886, 1952 Code, amended—nets which may be used for catching shad—exception for Savannah River and Edisto River.—Section 28-886, of the 1952 Code, as last amended by Section 8 of Article 9 of Act 259 of 1959 is further amended by striking the words "six" on lines 2 and 6 of the code section and in-

serting in lieu thereof the words "five and one-half", so that when amended the section shall read as follows:

"Section 28-886. No nets for catching shad shall be used with a mesh of less than five and one-half inches nor extending more than half way across any stream nor within two hundred yards of any net previously set. Nor shall it be lawful to set any nets for catching shad in lakes or coves tributary to any stream, whether navigable or not, except that a net with a mesh of less than five and one-half inches but not less than four inches may be used in the Savannah River. No net or seine shall be used in the muddy waters of any river within twenty-five yards of the mouth of any clear water stream emptying into such river.

No nets for catching shad in the Edisto River shall be used with a mesh of less than six inches."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1091, H2563)

No. 916

An Act To Authorize Boards Of Commissioners Of Public Works In Incorporated Municipalities In Greenwood County To Borrow For Purposes Of Acquiring Additional Public Works Facilities.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County—borrowing of money for acquisition of additional public works facilities by boards of public works.—The board of commissioners of public works of any incorporated municipality in Greenwood County, subject to the approval as required by law of the governing body of the municipality, may borrow such sums as may be necessary to pay all costs incident to the acquisition of additional public works facilities, whether located within or without the corporate limits of such municipality, and may make and issue negotiable or nonnegotiable evidences of indebtedness which may be either secured or unsecured and may be payable on such terms and at such times and bear interest at such rates as the commissioners deem necessary to facilitate the acquisition of the facilities.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1093, H2565)

No. 917

An Act To Amend Section 43-781, Code Of Laws Of South Carolina, 1952, Relating To The Number Of Magistrates In Georgetown County, So As To Make Further Provision Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 43-781, 1952 Code, amended—Georgetown County magistrates.—Section 43-781 of the 1952 Code is amended by adding at the end thereof the following proviso: "*Provided*, that the area included in Townships No. 5 and 6 shall comprise a single magisterial district."

SECTION 2. Time effective.—This act shall take effect upon expiration of the present terms of office of the concurrent magistrates for the two districts composed of Township No. 5 and Township No. 6.

Approved the 7th day of April, 1962.

(R1094, H2567)

No. 918

An Act To Increase The Civil Jurisdiction Of The Magistrate Of Magisterial District No. 2 In Newberry County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Newberry County—jurisdiction of magistrate of Magisterial District No. 2.—Notwithstanding the provisions of Section 43-51, Code of Laws of South Carolina, 1952, or any other law to the contrary, the jurisdiction of the magistrate of Magisterial District No. 2 in Newberry County in civil cases shall extend where the value of property in controversy or the amount claimed is not more than two hundred dollars.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1095, H2573)

No. 919

An Act To Regulate The Use Of Blinker Or Flashing Lights By Members Of Spartanburg County Fire Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain vehicles used by fire district members in Spartanburg County declared emergency vehicles.—Vehicles of the fire chief or equivalent official of any fire district in Spartanburg County and not more than five members under the supervision of such fire chief and designated by him, while traveling to fires are hereby designated and shall be deemed emergency vehicles as defined by Section 46-216, Code of Laws of South Carolina, 1952.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than twenty-five dollars.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1099, H2577)

No. 920

An Act To Amend Section 14-852, Code Of Laws Of South Carolina, 1952, Relating To Districts From Which The Anderson County Board Of Commissioners Derives Its Membership, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-852, 1952 Code, amended—division of Anderson County into districts for election of commissioners.—Section 14-852 of the 1952 Code is amended by striking it out and inserting in lieu thereof the following :

"Section 14-852. The county is divided into five districts. The board of county commissioners shall be composed of one member from each school district. *Provided*, that this shall not affect the terms of office of the present commissioners."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1101, H2580)

No. 921

An Act To Divide School District No. 1 Of Anderson County Into Seven Areas And To Provide For The Election Of A Board Of Trustees For The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County—School District No. 1 divided into areas.—School District No. 1 of Anderson County is hereby divided into seven areas as follows:

Area No. 1: Beginning at a point where Anderson, Pickens and Greenville Counties corner, a line running southwest on the Anderson-Pickens County line to Middle Branch; east down Middle Branch to a bridge on Road No. 74; south along Road No. 74 to S. C. Highway No. 86; southwest along S. C. Highway No. 86 to the junction of County Road; north on County Road to Brushy Creek; east on Brushy Creek to U. S. Highway No. 29; east in straight line to Saluda River; north up Saluda River to point of beginning.

Area No. 2: Beginning at the point where Middle Branch crosses the Anderson-Pickens County line, a line running southwest along Anderson-Pickens County line to School District No. 1-School District No. 4 line; due south along School District No. 1-School District No. 4 line to County Road; due east on County Road to County Road; due north on County Road to S. C. Highway No. 86; northwest along S. C. Highway No. 86 to Road No. 74; due north on Road No. 74 to Middle Branch; northwest along Middle Branch to point of beginning.

- Area No. 3: Beginning at the junction of Hurricane Creek and Saluda River going due west up Hurricane Creek to Road No. 17; northeast on Road No. 17 to junction with S. C. Highway No. 86 and County Road; north on County Road to Brushy Creek; east on Brushy Creek to U. S. Highway No. 29; east in straight line to Saluda River; south on Saluda River to point of beginning.
- Area No. 4: Beginning at the junction of Hurricane Creek and Saluda River, going due west up Hurricane Creek to U. S. Highway No. 29; due south on U. S. Highway No. 29 to Road No. 75; due east on Road No. 75 to Road No. 54; due south on Road No. 54 to Old School District No. 20 line; due east in a straight line to Saluda River; up Saluda River to point of beginning.
- Area No. 5: Beginning at the junction of U. S. Highway No. 29 and Road No. 75, going due south on U. S. Highway No. 29 to the junction of Old U. S. Highway No. 29, which leads to Williamston from U. S. Highway No. 29; due northeast to Old School District No. 20 line; along Old School District No. 20 line to Road No. 212; northeast along Road No. 212 to Road No. 116 intersection, then a straight line east to Saluda River; north up Saluda River to point where Area No. 4 joins Saluda River.
- Area No. 6: Beginning where the southern boundary of Area No. 5 meets the Saluda River, following Road No. 212 southwest to Old School District No. 20 line; along Old School District No. 20 line to Old U. S. Highway No. 29; southwest along Old U. S. Highway No. 29 to U. S. Highway No. 29; due north along U. S. Highway No. 29 to Beaverdam Creek; southwest along Beaverdam Creek to the School District No. 1-School District No. 5 line; along School District No. 1-School District No. 5 line to School District No. 2 line; along School District No. 1-School District No. 2 line to Saluda River; north up Saluda River to point of beginning.

Area No. 7: Beginning at the point where Beaverdam Creek meets the School District No. 1-School District No. 5 line; due west along School District No. 1-School District No. 5 line to Six and Twenty Creek; due north along Six and Twenty Creek to Road No. 17; due east along Road No. 17 to U. S. Highway No. 29; due south along U. S. Highway No. 29 to Beaverdam Creek; southwest along Beaverdam Creek to point of beginning.

SECTION 2. Election of trustees—where they are to reside—vacancies.—School District No. 1 shall consist of a board of trustees of seven members. One shall be a resident of Area No. 1; one shall be a resident of Area No. 2; one shall be a resident of Area No. 3; one shall be a resident of Area No. 4; one shall be a resident of Area No. 5; one shall be a resident of Area No. 6; and one shall be a resident of Area No. 7. Each trustee shall be elected by the qualified electors of the entire school district. Upon the expiration of the present term of office of the trustees of School District No. 1, their respective successors in office shall be elected as follows:

In November 1962, one trustee shall be elected from Area No. 3; one trustee shall be elected from Area No. 6.

In November 1964, one trustee shall be elected from Area No. 1; one trustee shall be elected from Area No. 2; one trustee shall be elected from Area No. 7.

In November 1966, one trustee shall be elected from Area No. 4; one trustee shall be elected from Area No. 5.

In the trustee election of such school district in 1968 and in each subsequent trustee election, their respective successors in office shall be elected from the areas herein established in such order as the vacancies occur.

In case of the resignation or death of any trustee, the county board of education shall appoint a successor who is a resident of the same area, for the unexpired term only.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1102, H2584)

No. 922

An Act To Establish Wards At Crescent Beach, Ocean Drive Beach, And Areas Proposed To Be Annexed; To Provide For The Election Of Members Of Council From Such Wards; And To Provide For A System Of Municipal Government And Laws In The Event Of A Consolidation Of The Municipalities Of Crescent Beach And Ocean Drive Beach, And Of The Annexation Of Property Adjacent Thereto.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Ward system in consolidated towns of Ocean Beach and Crescent Beach in Horry County in event of consolidation and annexation.—In the event of the consolidation of the Town of Ocean Drive Beach and the Town of Crescent Beach, and the annexation of certain areas adjacent thereto into a single municipal corporation, the municipality, when so consolidated and enlarged, shall have a ward system of government as hereinafter provided.

SECTION 2. Boundaries of the wards.—The municipality resulting from the consolidation and annexation shall be divided into three wards, which shall be designated as Wards One, Two and Three, the boundaries of which shall be as set out below :

Ward One. Beginning at a point on the Atlantic Ocean opposite the western margin of Temple Avenue (or the street formed at the junction of Baldwin and Temple Avenues), thence running in a general northwestwardly direction to and along the western margin of Temple Street to the center of Temple Avenue with its junction at Baldwin Avenue; thence along the center of Temple Avenue, and a projection thereof in a general northwestwardly direction to the northern margin of the Intra Coastal Waterway; thence along the northern margin of the Intra Coastal Waterway in a general eastwardly direction to the center line of U. S. Highway No. 17; thence along the center line of U. S. Highway No. 17 in a general southwardly direction to the boundary line between Ocean Drive Beach and Cherry Grove Beach; and thence following that boundary line to the Atlantic Ocean; thence along the Atlantic Ocean to the beginning. This ward shall have as its northern boundary the northern margin of the Intra Coastal Waterway canal prism; its eastern boundary the center line of U. S. Highway No. 17 and the town limits of Cherry Grove Beach; the southward line the Atlantic Ocean; and the westward line Ward Two.

Ward Two. Beginning at a point on the Atlantic Ocean opposite the western margin of Temple Avenue (or the street formed at the junction of Baldwin and Temple Avenues), thence running in a general northwestwardly direction to and along the western margin of Temple Street to the center of Temple Avenue at its junction with Baldwin Avenue; thence along the center of Temple Avenue, and a projection thereof in a general northwestwardly direction to the northern margin of Intra Coastal Waterway; thence along the northern margin of the Intra Coastal Waterway in a general westwardly direction to a point which is located as being a projection of the eastern margin of Atlantic Street; thence in a general southwardly direction along such course and the eastern margin of Atlantic Street, and a further projection thereof, to the Atlantic Ocean; thence eastwardly along the Atlantic Ocean to the point of beginning. This ward shall have as its northern boundary the northern margin of the Intra Coastal Waterway canal prism; its eastern boundary is Ward One; its southern boundary is the Atlantic Ocean; and the western boundary is Ward Three.

Ward Three. Beginning at a point on the northern margin of the Intra Coastal Waterway opposite the projection of the eastern margin of Atlantic Street and running in a general southwardly direction along such course and the eastern margin of Atlantic Street, and a further projection thereof, to the Atlantic Ocean; thence westwardly along the Atlantic Ocean to a point opposite the western margin of Lewis Road, or a projection thereof; thence along the western margin of Lewis Road to a point opposite the northern boundary of Second Street; thence from that point eastwardly and along the northern boundary of Second Street to the western boundary of Harrison Road and its combination with Windy Hill Road; thence along the western margin of Harrison Road and projection of Windy Hill Road in a general northwardly direction to U. S. Highway No. 17; and thence continuing across U. S. Highway No. 17 along a projection of the western margin of Harrison Road to the northern edge of the Intra Coastal Waterway; thence along the northern edge of the Intra Coastal Waterway to the point of beginning. This ward shall have as its northern boundary the northern margin of the Intra Coastal Waterway canal prism; its eastern boundary Ward Two; its southern boundary the Atlantic Ocean; and westwardly by lands of Lewis and others.

SECTION 3. Government of the consolidated town.—The municipality thus created by such consolidation and annexation shall be

governed by a council consisting of the mayor, who shall be elected at large, and by six councilmen, two to be elected from each ward. Only the qualified voters residing within a ward shall be entitled to vote for the members of council chosen from that ward.

SECTION 4. Election of mayor and councilmen.—Upon certification by the Secretary of State that the consolidation and annexation have taken place the Horry County Commissioners of Election shall, as soon as practicable, order the holding of an election for the purpose of choosing a mayor and councilmen for the new municipality and wards.

SECTION 5. Interim government.—During the interval between the completion of the consolidation-annexation and such date as the newly constituted municipal government shall prepare and adopt ordinances or a municipal code, the governing body and the laws of the newly created municipality shall be such as they have been agreed upon between the councils of the Towns of Crescent Beach and of Ocean Drive Beach as an incident to the consolidation of the municipalities, and any laws enacted by such governing body subsequent to the consolidation-annexation and prior to the adoption of a new municipal code or ordinances by the succeeding municipal government chosen under the provisions of this act.

SECTION 6. Time effective.—This act shall become effective upon due certification by the appropriate authority to the Secretary of State that a majority vote in favor of the consolidation of Ocean Drive Beach and of Crescent Beach has occurred together with an annexation of the territory adjacent thereto, and upon recognition by the office of the Secretary of State of the results of such election or of the filing of results of the election in that office.

Approved the 7th day of April, 1962.

An Act To Authorize The Board Of Trustees Of The University Of South Carolina, Upon Approval Of The State Budget And Control Board, To Sell And Convey Real Property Donated To The University In The Course Of Its Current Greater University Fund Campaign.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Board of trustees, University of South Carolina, may sell and convey real property donated during fund campaign.—After obtaining the approval of the State Budget and Control Board, the Board of Trustees of the University of South Carolina is authorized to lease or to sell and convey from time to time any real property which may have been or may hereafter be donated to the University in the course of its current Greater University Fund Campaign, or any similar campaign which may be conducted at any future time, for such consideration and upon such terms and at such times and in such manner as shall be set forth in the resolution of approval of the State Budget and Control Board. The proceeds of any such lease or sale shall be applied to the original purpose of the donation of the property leased or sold.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1110, H2578)

No. 924

An Act To Vest The General Powers And Duties Of The Board Of Commissioners Of Public Works Upon The Town Council Of The Town Of Cherry Grove Beach In Horry County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Powers and duties of commissioners of public works vested in town council of Cherry Grove Beach in Horry County.—In the Town of Cherry Grove Beach, in Horry County, there shall be no Board of Commissioners of Public Works and the powers and duties vested by general law in such boards in other cities and towns shall be vested in the Town Council of Cherry Grove Beach.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1115, S573)

No. 925**An Act Providing For Rural Fire Control In Beaufort County And To Provide For The Financing Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Beaufort County—employ director of rural fire control.—The Beaufort County Board of Directors, hereinafter referred to as “the Board”, shall employ a director of rural fire control for Beaufort County with the approval of the Senator and a majority of the members of the House of Representatives from Beaufort County. The director shall be technically qualified by training and experience and shall have ability to command men and hold their respect and confidence. He shall be removed only for just cause and after a public hearing.

SECTION 2. Duties of director.—(a) The director or his assistants shall conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of buildings in the county, fire prevention, water supplies, and all other matters generally considered essential to good firemanship and safety of life and property from fire.

(b) The director is hereby required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin, and circumstances of all fires.

(c) The director shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the department.

SECTION 3. Powers and duties of board.—The board shall make a study and survey of the rural fire protection and control problem in Beaufort County with a view to aiding and encouraging the creation of rural fire control. It shall establish priorities for receipt of equipment based upon the need for fire-fighting equipment of the various communities. It shall furnish equipment to the communities according to the priorities established, upon the communities' compliance with the provisions of this act as hereinafter set forth, and in accordance with such rules and regulations for the proper organization and establishment of rural fire control as shall be promulgated by the Board. The Board shall have the power to enter into agreements and contracts with the municipalities of Beaufort County

which maintain organized fire departments for the purpose of providing fire protection and control for surrounding rural area.

SECTION 3-A. Requirements to receive fire-fighting equipment.—Before a community shall be eligible to receive fire-fighting equipment it shall

(1) Convey a lot for the erection of a fire house for Beaufort County. The lot shall have at least a seventy-five foot frontage and be at least one hundred feet deep with access to paved roads and adequate water supply. The deed shall contain a reverter clause providing that in the event the lot is not used for fire-fighting purposes as provided by this act, title shall revert to the donor;

(2) Furnish housing for the equipment which is acceptable to the Board.

(3) Shall give evidence to the Director of the enrollment of sufficient qualified volunteers to man the fire-fighting equipment.

The provisions of this section relative to the size of lots or buildings shall not apply to existing fire stations or the lots upon which they are located.

SECTION 4. Purchase and assignment of fire trucks.—The Board may under the provisions of this act out of the funds made available to it, purchase fire trucks suitable for rural use in controlling and fighting fire. Such fire trucks shall be standard equipment and as nearly uniform as possible so as to allow interchange and coordinated use in an emergency and to make possible efficient and economic maintenance and upkeep. All such equipment purchased under this act shall remain the property of the county. The Board may assign and re-assign, if necessary, fire-fighting trucks and equipment to any place within Beaufort County that it deems best in order to carry out the purpose of this act.

SECTION 5. Members to enforce fire laws.—All members of fire departments of Beaufort County may direct and control traffic at the scene of any fire in a rural area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 6. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his du-

ties in the county or to interfere with any fire apparatus used by fire departments in the county and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment not exceeding thirty days.

SECTION 7. Further.—It shall be unlawful for any person or persons to wilfully or knowingly give a false alarm of fire in Beaufort County, and any person or persons violating the provisions of this section shall, upon conviction, be deemed guilty of a misdemeanor and be punished by a fine not exceeding one hundred dollars or by imprisonment for not more than thirty days.

SECTION 8. Board may borrow money.—The Board may borrow from time to time, and in such amounts as shall be necessary from the Division of Sinking Funds and Property, funds for the purpose of purchasing necessary fire-fighting equipment according to the provisions of this act. The total amount of loans herein authorized shall not exceed seventy-five thousand dollars. The loans shall be evidenced by notes signed by the chairman of the board and by the Treasurer of Beaufort County. The auditor of the county is directed to levy and the treasurer to collect a tax upon all the taxable property of the county sufficient to pay the loan and interest thereon. The full faith, credit and taxing power of the county is irrevocably pledged for the payment of any loan provided for in this act.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1117, S646)

No. 926

An Act To Create The Aiken County Commission For Technical Education And Training And To Define Its Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Section 23 of Act 323 of the Acts of 1961, a program looking to the establishment of adequate vocational and technical educational facilities in the State, intended to coordinate with the industrial expansion of South Carolina, was instituted on a

basis requiring cooperation between the State agency therein created and counties or areas within the State. It is specifically required therein that in order for any county or area to comply with the program and thusly to receive the benefits of the program, it must make available, and operate adequate facilities, and at the same time provide for adequate local supervision.

SECTION 2. Aiken County Commission for Technical Education created — members — terms — vacancies — officers.—

There is hereby created, as an administrative agency of Aiken County a commission, to be known as the "Aiken County Commission for Technical Education" (hereinafter referred to as the "Commission"), which shall consist of nine qualified registered electors of Aiken County. All appointments to office of the Commission shall be made by the Governor, upon the recommendation of a majority of the legislative delegation, including the Senator, from Aiken County. Of those first appointed, two shall have a term of one year, two shall have a term of two years, two shall have a term of three years, and three shall have terms of four years. Upon the expiration of the terms of office of those first appointed, successors shall be appointed for terms of four years in the same manner as provided for the original appointment. If any vacancy shall arise, a successor shall be appointed by the Governor for the balance of the unexpired term in the same manner as the original appointment was made. The members of the Commission shall hold office until their successors shall have been appointed and shall qualify. All terms of office shall terminate on the appropriate anniversary of the effective date of this act, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon as practicable after the initial appointments are made, the Commission shall meet and organize by electing one of its members as chairman, another as vice chairman, and a third as secretary. A transcript of the record of the initial organization shall be filed with the Clerk of Court of Aiken County in order to reflect the initial membership of the Commission and those who shall become its officers.

SECTION 3. Duties—The Commission shall be responsible for a full and exhaustive study looking to the development and implementation of an adequate vocational and technical training program, which shall include, but not be limited to, the following: a program coor-

minated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries. The Commission, in carrying out this program, shall cooperate with all State and Federal agencies designated to further technical education.

SECTION 4. Powers.—When funds are made available the Commission is authorized to do all things necessary or convenient to promote the objects of the program instituted by Section 23 of Act 323 of 1961, and without in any way limiting the generality of the foregoing, shall be empowered as follows:

- (1) to adopt and use a corporate seal;
- (2) to adopt such bylaws, rules and regulations for the conduct of business and the expenditure of appropriated funds as it may deem advisable;
- (3) when funds are made available by the General Assembly, to acquire a site within Aiken County and to construct and equip thereon appropriate facilities in accordance with the standards and specifications promulgated by the State Advisory Committee established by Section 23 of Act 323 of 1961;
- (4) to acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property;
- (5) to accept gifts, grants, donations, devises and bequests;
- (6) to provide appropriate supervision of the maintenance of any facility established to promote vocational or technical education;
- (7) to provide the necessary administrative services required by the State program;
- (8) to employ such personnel as may be necessary to enable the Commission to fulfill its functions;
- (9) to establish, promulgate and enforce reasonable rules and regulations, in conjunction with those promulgated by the State agency, for the operation of its facilities;
- (10) to operate its affairs on a fiscal year coinciding with that of Aiken County;
- (11) to expend any funds received in any manner, including the proceeds derived from any bonds which may be issued by Aiken County to defray any costs incident to the establishment of adequate facilities for the program, and thereafter to expend such funds as may be appropriated for the operation, maintenance and improvement of the facilities;

(12) to apply for, receive, and expend moneys from all governmental agencies, both State and Federal;

(13) to exercise all powers contemplated for local agencies by Section 23 of Act 323 of 1961, and all other laws modifying, amending or implementing it.

SECTION 5. Records and audit.—The Commission shall at all times keep full and accurate account of its acts and of its receipts and expenditures, and at least once within four months, following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the audit shall be filed with the Clerk of Court for Aiken County and with the Aiken County Legislative Delegation.

SECTION 6. Reports.—Not less frequently than annually the Commission shall make a written report of the activities of the Commission and file a copy with the Aiken County Legislative Delegation.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1118, S663)

No. 927

An Act To Provide That The Terms Of Magistrates In Lee County First Appointed After The Effective Date Of This Act Shall Expire On December 31, 1966.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Terms of Lee County magistrates.—Terms of magistrates in Lee County elected in 1962 and appointed during 1963 shall expire on December 31, 1966. Any vacancy shall be filled in the manner of the original appointment for the unexpired portion of the term.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1119, S666)

No. 928**An Act Making It Unlawful To Net, Trap, Harpoon, Lasso Or Molest Genus Delphinus Or Genus Tursiops In The Waters Of Beaufort County, And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to molest genus delphinus or genus tursiops in Beaufort County.—It shall be unlawful for any person to net, trap, harpoon, lasso or molest genus Delphinus or genus Tursiops in the waters of Beaufort County.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than one hundred dollars or imprisonment for not more than thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1120, S680)

No. 929**An Act To Create The Dorchester County Industrial And Development Board; To Provide For Its Powers And Duties; And To Repeal Act No. 551 Of The Acts Of 1960, As Amended, Relating To The Dorchester County Development Board.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dorchester County Industrial and Development Board created—members—terms—compensation.—There is hereby created the Dorchester County Industrial and Development Board to be composed of five members who shall be appointed by the Governor for terms of two years, upon the recommendation of the Dorchester County Legislative Delegation. The members shall serve without compensation, but shall be allowed ten dollars per diem when engaged in the business of the board. Any vacancy shall be filled for the unexpired term in the manner provided for the original board.

SECTION 2. Duties.—The functions of the board shall be to encourage the location of new industry in the county and the promotion

of tourist trade and marketing of native products. The board shall cooperate with the municipalities of the county, the State Development Board, and development boards in adjoining counties.

SECTION 3. Act 551 of 1960 repealed.—Act No. 551 of the Acts of 1960, as amended, is hereby repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1126, S693)

No. 930

An Act To Provide That The Provisions Of Act No. 833 Of 1956, As Amended, Relating To The Regulation And Licensing Of Real Estate Brokers And Others Shall Apply To Pickens County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 833 of 1956 to apply to Pickens County.—Notwithstanding any other provisions of law, the provisions of Act No. 833 of 1956, as amended, shall apply to Pickens County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1123, S698)

No. 931

An Act To Establish The Board Of Rural Fire Control Of The Moncks Corner Area In Berkeley County; To Provide For Its Powers, Duties And Membership; And To Provide Penalties For Certain Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Board of rural fire control established for Moncks Corner area—appointments—terms—reports.—There is established the board of rural fire control for the area outside of the Town of

Moncks Corner in Berkeley County encompassed within old School Districts Nos. 8, 9, 10, 11, 12, 13, 17, 22 and 25, to be composed of seven members, who shall be appointed by the Governor, upon the recommendation of a majority of the Berkeley County Legislative Delegation, for a term of three years. The members shall annually file a report with the Berkeley County Legislative Delegation, Supervisor and Treasurer not later than November first of each year, showing all activities and disbursements made by the board during the year.

SECTION 2. Powers and duties.—The board shall be a body politic and corporate and shall have the following duties, powers and responsibilities:

(a) To buy such fire-fighting equipment as the board deems necessary for the purpose of controlling rural fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire-fighting equipment shall be kept; *provided*, that one truck shall be kept at a site to be located within the Town of Moncks Corner.

(c) To provide and select the drivers and other volunteer firemen to man such equipment who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein; *provided*, the land on which such building is constructed shall be donated to the county, so long as the property is used for housing fire-fighting equipment under the supervision of the board.

SECTION 3. Use and supervision of equipment.—The fire-fighting equipment provided for in this act shall be used to control, extinguish and fight any fire within the area covered by the truck company to which the equipment is assigned. All service rendered, including the personnel used in the fighting or controlling of fires, shall be financed by charges at rates prescribed by the board. The fire

chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 4. Members to enforce fire laws.—All members of the truck companies of the area may direct and control traffic at the scene of any fire in a rural area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose, and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 5. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the county or to interfere with any fire apparatus used by fire departments in the county, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment not exceeding thirty days.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1124, S699)

No. 932

An Act To Amend Act No. 885 Of The Acts Of 1958, Relating To The Hanahan Public Service District, So As To Require The Display Of Permits Issued And To Permit Examinations Of The Permits.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 885 of 1958 amended—permits to be displayed—examination of.—Section 1 of Act No. 885 of the Acts of 1958, as amended, is further amended by adding at the end thereof the following: "Permits issued by the Hanahan Public Service Commission shall be conspicuously displayed upon the premises for which issued. The members of the commission or their designated agent may enter upon the premises for the purpose of examining the permit at any reasonable hour."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1125, S682)

No. 933

An Act To Confer Concurrent Jurisdiction Upon The City Of Columbia With The Sheriff Of Richland County As To Law Enforcement On Property Owned By The County Or Its Subdivisions Located In The City Of Columbia.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Police jurisdiction of City of Columbia over property owned by Richland County.—The City of Columbia shall have concurrent jurisdiction with the sheriff of Richland County as to police powers and law enforcement on all property owned by Richland County or any of its subdivisions located within the city limits of Columbia. Such powers shall extend over but not be limited to the property of the Columbia Hospital of Richland County, the Columbia Township Auditorium, Richland County Courthouse, Richland County Office Building, Richland County Library and Richland County Health Department.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1127, S683)

No. 934

An Act To Provide For The Terms Of Office Of The Mayor And Councilmen Of The Town Of Smoaks In Colleton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of mayor and councilmen for Town of Smoaks.—Notwithstanding the provisions of Section 47-111, Code of Laws of South Carolina, 1952, in the Town of Smoaks, in Colleton County, the mayor and councilmen shall be elected every two

years, and their terms of office shall be for two years and until their successors are elected and qualify.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1128, S685)

No. 935

An Act To Provide For The Term Of Office Of The Magistrate In Verdier District In Colleton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Term of magistrate of Verdier District in Colleton County.—The term of office of the present magistrate of the Verdier District in Colleton County is hereby extended to February 15, 1963.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1129, S688)

No. 936

An Act To Provide For Additional Members On The Chester Local Area Board Of School Trustees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Additional members for Chester Local Area Board of School Trustees.—Notwithstanding any other provision of law to the contrary, there shall be appointed to the Chester Local Area Board of School Trustees an additional member from the North Chester Area and an additional member from the West Chester Area. Their terms of office shall be as are now provided for by law.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1130, S690)

No. 937

An Act To Amend Act No. 639 Of The Acts And Joint Resolutions Of 1961, Relating To The Description Of Center Township In Richland County, So As To Provide That No Portion Thereof Shall Constitute A Part Of Columbia Township.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 639 of 1961 amended—Center Township not to be part of Columbia Township.—Section 1 of Act No. 639 of 1961 is amended by adding a new paragraph at the end thereof to read as follows :

“No portion of the above described area shall constitute a part of Columbia Township.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1134, S655)

No. 938

An Act To Amend Act No. 829 Of 1960 Relating To Terms Of Magistrates In Kershaw County, So As To Provide That Terms Of Magistrates Shall Expire On December 31, 1964 And Each Four Years Thereafter.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 829 of 1960 amended—terms of Kershaw County magistrates.—Section 1 of Act No. 829 of 1960 is amended by striking on line five “1963” and inserting in lieu thereof “1964”, so that the section when amended shall read as follows :

“Section 1. Future appointments of Magistrates in Kershaw County, except those to fill unexpired terms, shall be for a term of four (4) years; *Provided*, however, that to provide uniformity of terms, all terms of Magistrates hereafter appointed shall expire on December 31, 1964, and each four years thereafter.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1135, S694)

No. 939

An Act To Amend Sections 7 And 11 Of An Act Of 1962, Bearing Ratification No. 871, Relating To The Establishment Of A County Court For Charleston County, So As To Authorize The Clerk Of Court To Appoint Deputies And The Judge To Appoint A Bailiff And To Provide Compensation Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7 of Act 776 of 1962 amended—Charleston County Court—appointment of deputies.—Section 7 of an act of 1962, bearing ratification No. 871, is amended by adding at the end thereof the following: "Due to the additional work required to keep the records of the county court, the clerk may appoint a deputy or deputies to be approved by the court of common pleas and a record of such appointments shall be made to the office of the clerk of court."

SECTION 2. Section 11 of Act 776 of 1962 amended—appointment, duties, and compensation of bailiff.—Section 11 of an act of 1962, bearing ratification No. 871, is amended by striking it out and inserting in lieu thereof the following:

"Section 11. The judge shall appoint one bailiff who shall attend upon the court and be subject to its orders. The bailiff shall have the same powers as constables of the county and shall receive as compensation a per diem as may be fixed by the governing body of the county for the time actually engaged and shall not be retained in attendance upon the court longer than exigencies of the court may require."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1137, H2385)

No. 940

An Act To Prohibit The Sale Or Use Of Certain Fireworks In Any County Having A Population Of Between Two Hundred Five Thousand And Two Hundred Fifteen Thousand According To The Latest Official United States Census And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Fireworks prohibited in certain counties.—In any county having a population of between two hundred five thousand and two hundred fifteen thousand according to the latest official United States census, the sale, possession, discharge or use of fireworks, except sparklers and toy caps commonly used in toy cap pistols, is prohibited.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed one hundred dollars or imprisoned for a term not to exceed thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1140, H2556)

No. 941

An Act To Authorize The Town Of Blacksburg In Cherokee County To Improve And Enlarge Its Waterworks Facility; To Borrow Funds Or Issue Bonds To Construct The Facility; To Acquire Sites, Easements And Rights Of Way, And To Permit The Town In The Alternative To Contract With The City Of Gaffney To Obtain Water.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Blacksburg may improve waterworks system.—The Town of Blacksburg in Cherokee County is empowered to improve and enlarge its waterworks system. The town shall have authority to acquire suitable sites for such purposes and shall have authority to acquire easements and rights of way to build and construct pipelines to be used in conjunction with the system. The town shall have authority to contract and enter into necessary agreements for these purposes.

SECTION 2. Borrow money.—In order to accomplish these purposes the Town of Blacksburg is authorized to obtain a loan or grant in aid from the Housing and Home Finance Agency of the United States of America and to make the necessary application and do all

other things necessary in connection therewith. Should it so desire, the town may obtain financing for the construction of the water-works facility from any agency of the State, the United States, or any other agency where such financing may be available.

SECTION 3. Bond issue authorized.—As an alternative method of financing, the Town of Blacksburg shall be authorized and empowered to issue revenue bonds in the sum of two hundred thousand dollars for the purpose of improving and enlarging existing water-works facility and obtaining the necessary sites and easements and rights of way therefor. The revenue bonds shall be issued in compliance with the statutory laws of South Carolina relating to revenue bonds, and the revenues to be derived from the system shall be pledged to the repayment of the bonds.

SECTION 4. May contract with City of Gaffney for water.—In the event the Town of Blacksburg should desire to obtain water from the City of Gaffney it is authorized and empowered to do so. To this end, the Town of Blacksburg and the Board of Public Works of the City of Gaffney are hereby authorized to contract with each other to furnish water for domestic and industrial purposes to the Town of Blacksburg. The two municipalities by mutual agreement shall have full power and authority to construct a pipeline from the filtering plant of the City of Gaffney to the Town of Blacksburg, and thereafter by contract to determine rates, regulations and jurisdiction over the sale of water from the pipeline. For this purpose the Board of Public Works of the City of Gaffney and the Town of Blacksburg shall be empowered to issue jointly revenue bonds in the sum of two hundred fifty thousand dollars to construct an adequate pipeline from the Gaffney system to the Town of Blacksburg.

SECTION 5. Money to be loaned by Cherokee County.—In the event the Town of Blacksburg chooses to improve and enlarge the existing facilities, the Treasurer of Cherokee County shall lend the Town of Blacksburg two hundred thousand dollars from the general fund of the county, or so much thereof as is necessary, in order to expedite such work. The amount loaned shall be repaid from the proceeds of the bond issue or other method of financing authorized. The Town of Blacksburg shall commence such action as is necessary to realize such financing within sixty days after the effective date of this act.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1142, H2620)

No. 942

An Act To Provide For The Issuance Of Construction Permits In Darlington County; To Prohibit Electric Companies From Making Electrical Connections To A Building Constructed Without A Permit; To Provide A Penalty For Violation; And To Repeal Act 340 Of 1957, Requiring The Filing With The County Auditor Of Information Concerning New Construction In Darlington County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Building permits required in Darlington County.—It shall be unlawful for any person to erect or construct any new building on real estate, which costs in excess of twenty-five hundred dollars, in Darlington County, unless an application has been filed with and a permit granted by the county auditor or tax assessor to erect or construct such new building; *provided*, that no application or permit shall be required for a new building upon real estate situate within any incorporated municipality which requires a permit for the erection or construction of a new building.

SECTION 2. Application forms.—The auditor shall prepare and furnish the tax assessor the application forms, which shall show information to be of assistance to him in locating the real estate on which a new building is to be made and in checking tax returns. The information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural post office box number; (d) estimated cost of construction; (e) type of construction; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

SECTION 3. Issuance of permit—fee.—The auditor or tax assessor shall issue the permit upon the applicant's paying a fee of one dollar which shall be retained by the issuing office. The permit shall be numbered and be made in triplicate; the original shall be filed with the county auditor and one copy with the tax assessor.

The permit when issued shall be kept at the building or place where such construction, erection, improvement or alteration is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the tax assessor's office, and it shall be unlawful to continue the work after demand unless and until the permit is produced for inspection.

SECTION 4. Municipalities to file copies of permits with auditor.—Every municipality in the county, requiring permits for the erection or construction of any improvements upon real estate situate within the municipality, shall furnish to the auditor and tax assessor copies of all permits issued by the municipality.

SECTION 5. Penalties.—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding twenty-five dollars nor less than five dollars or imprisonment not exceeding ten nor less than three days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

SECTION 6. Electricity not to be furnished without building permits.—It shall be unlawful for any public utility company or rural electric cooperative to make a new connection of electrical energy to a new building or facility requiring a permit under this act unless such permit was acquired for the construction of the building or facility. Any company or cooperative making a connection shall report to the county tax assessor's office on or before the tenth of each month the location of each connection.

SECTION 7. Act 340 of 1957 repealed.—Act 340 of 1957 is repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

Contract Binding Each Of Them To Provide Equally An Annual Appropriation Sufficient To Pay The Annual Operating Deficit, If Any, Of The Richland-Lexington Airport Commission.

Whereas, by act of the General Assembly, bearing Ratification No. 704, approved the thirty-first day of January, 1962, there was created an Airport District embracing the Counties of Richland and Lexington, and the General Assembly found that the County of Richland and the County of Lexington will each derive special benefits from the establishment and maintenance of an airport; and

Whereas, the Airport Commission created thereunder is authorized to operate and maintain the airport under the terms and provisions of this act, and that the Airport Commission may have an operating deficit from time to time in the course of its operation. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland and Lexington Counties to furnish funds to Airport Commission.—The governing body of the County of Richland and the governing body of the County of Lexington are hereby authorized and directed to make, execute and deliver a contract, each with the other, agreeing to pay to the Richland-Lexington Airport Commission, in equal amounts, the funds necessary to meet the annual operating deficit, if any, of the Richland-Lexington Airport Commission or to provide for the commission sufficient funds to prevent any such deficit from arising by annual equal payments to the commission's anticipated budget.

SECTION 2. Annual appropriations—defaults.—There shall be provided in the annual act levying taxes for county purposes by Richland County and Lexington County appropriations sufficient to carry out the provisions of Section 1 of this act.

In the event that the County of Richland or the County of Lexington, or either of them, should fail or refuse to make any such contract, or if such contract should be made and there should be a default thereunder, and for either of such reasons or for any other reason the County of Richland or the County of Lexington should fail to provide its one-half share of the operating deficit, the Comptroller General of the State of South Carolina is authorized and directed to withhold from the monies to be received by the County of Richland or the County of Lexington, as the case may be, from the annual distribution made by the State of South Carolina to

counties and municipalities from its receipts from the taxes levied by the State of South Carolina on alcoholic beverages, beer and wine, and on personal and corporate income an amount sufficient to pay such share or shares of the operating deficit.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1146, H2468)

No. 944

An Act To Amend Section 21-1035, Code Of Laws Of South Carolina, 1952, Relating To General Powers And Duties Of The County Board Of Education Of Aiken County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-1035, 1952 Code, amended—Aiken County Board of Education—powers and duties—taxes not to be increased without referendum.—Section 21-1035, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following :

“Section 21-1035. The county board of education shall be clothed with all of the powers and charged with all of the duties otherwise provided by law and shall have executive, financial and administrative control of the public schools in the county subject, however, to the provisions of this article.

The county board of education shall each year between the first day of January and the first day of June, prepare a budget for the operation of the public schools of Aiken County during the ensuing fiscal year. Copies of this budget shall be distributed to all members of the county board of education, the county superintendent of education, all members of the county legislative delegation, including the Senator, the county auditor and the county treasurer. Upon compliance with the provisions of this article, and after taking into account all funds available or to become available from all sources other than from the levy of Aiken County property taxes, the county board of education shall recommend to the county auditor the county property tax levy necessary for the operation of the public schools

during the period covered by the budget and in accordance therewith. If the county property tax levy recommended by the county board of education is not in excess of that for the current fiscal year and is otherwise within the limits authorized by law, the county auditor shall levy and the treasurer shall collect county property taxes in an amount sufficient to meet this budget. However, the county board of education shall not recommend, the county auditor shall not impose, and the county treasurer shall not collect, any increase in the county property tax levy over that for the current fiscal year, until the question of such proposed increase in the county property tax levy shall have been presented to the qualified electors of Aiken County in a referendum held for the purpose of ascertaining their wishes in the matter, and prior approval for such proposed increase in the property tax levy evidenced by a favorable vote of a majority of those voting in the referendum. The referendum shall be ordered and conducted by the county board of education, and the result thereof shall be certified to the county auditor, the county treasurer, and all members of the county legislative delegation, including the Senator. Wide publicity shall be given to the holding of the referendum, and official notice thereof shall be given by publication in a newspaper having general circulation in the county for not less than once a week for three consecutive weeks prior to the date set for the referendum. The notice shall give the date of the referendum, the question to be voted upon, and any other information considered necessary or desirable in order to fully inform the voters."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1149, H2623)

No. 945

An Act To Regulate The Construction, Alteration And Servicing Of Septic Tanks And Sewerage Systems In Aiken County And To Provide A Penalty For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that Aiken County has in the last decade experienced

an enormous increase in population, as a result of which sewage disposal through septic tanks and other means situated outside the corporate limits of municipalities has become a pressing problem. The General Assembly further finds that the difficulties involved have been intensified by an influx of unqualified and in many cases unscrupulous persons engaged in the construction, alteration and servicing of septic tanks and other means of disposing of sewage. The General Assembly further finds that the welfare of the people of the county requires that a stricter control be maintained over persons engaged in the business of construction, alteration and servicing of septic tanks and sewage disposal units in rural areas and other locations beyond the control of municipalities.

SECTION 2. Permits required for persons engaged in septic tank business.—No person shall construct, alter or service a septic tank or other sewage disposal system in Aiken County after June 30, 1962 without first having obtained a permit therefor from the governing body of the county. The permit shall be in such form as may be prescribed by the governing body of the county and shall be issued on an annual basis for a period running from July first through June thirtieth. The fee for the permit shall be thirty-five dollars for residents of the State and one hundred dollars for nonresidents. Before any permit is issued the county health department shall investigate the person seeking the permit and shall satisfy itself that he is qualified to construct or alter septic tanks or other sewage disposal systems and service them in a manner which shall promote the health of the people of the county and in accordance with accepted sanitary engineering practices. The provisions of this act shall apply to the construction and maintenance or any alterations to sewage disposal systems whether they be for domestic or industrial waste.

SECTION 3. Penalties.—Any person convicted of violating the provisions of this act shall be fined not more than one hundred dollars or imprisoned for not more than thirty days for the first offense. Upon conviction of the second and each additional offense punishment shall be in the discretion of the court, but not to exceed imprisonment for six months or a fine of five hundred dollars.

SECTION 4. Repeal.—The provisions of this act shall not apply to municipalities.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1150, H2661)

No. 946

An Act To Provide For A Legal Advisor For Darlington County And To Repeal Act No. 684 Of The Acts Of 1960 And Section 7 Of Act No. 677 Of The Acts Of 1954, Relating To The Legal Advisor For Darlington County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Legal advisor to be appointed for Darlington County.—A majority of the Darlington County Legislative Delegation, including the Senator, shall appoint a county legal advisor who shall be a member of the Darlington County Bar. Such appointment shall be for a period of one year and the appointee shall perform such duties and receive such compensation as may be fixed by the county manager. The attorney so appointed shall handle all legal business of the county.

SECTION 2. Act 684 of 1960 and Section 7 of Act 677 of 1954 repealed.—Act No. 684 of the Acts of 1960 and Section 7 of Act No. 677 of the Acts of 1954 are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1155, H2632)

No. 947

An Act To Amend Sections 2-221 And 2-222, As Amended, And Sections 2-223 Through 2-226, Code Of Laws Of South Carolina, 1952, Relating To The Anderson Airport Commission, So As To Change The Name To The Anderson County Airport Commission; To Change The Method Of Removing Members Of The Commission; To Further Provide For The Officers Of The Commission; To Further Provide For The Powers And Duties Of The Commission; To Delete The Authority Of The City Of Anderson To Make Contributions To The Commission; To Remove The Authority Of The Commission To Sell Its Property And Reinvest The Proceeds In An Adequate Airport; And To Change The Method Of Distribution Of Assets In The Case Of Dissolution And Liquidation Of The Commission Or Airport.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2-221, 1952 Code, amended—Anderson County Airport Commission — members — appointments—Section 2-221 of the 1952 Code, as amended, is further amended by striking it out and inserting in lieu thereof the following:

“Section 2-221. The Anderson County Airport Commission shall consist of seven members to be appointed by the Governor upon the recommendation of a majority of the Anderson County Legislative Delegation, including the Senator.”

SECTION 2. Section 2-222, 1952 Code, amended—terms and removal of members.—Section 2-222 of the 1952 Code, as amended, is further amended by striking the last sentence in its entirety and inserting in lieu thereof the following: “The Governor with the approval of a majority of the Anderson County Delegation, including the Senator, shall have the right to remove a member of the commission for cause.”, so that when further amended the section shall read as follows:

“Section 2-222. The term of office of each commissioner shall be for a period of two years and until his successor is appointed and qualified. The Governor with the approval of a majority of the Anderson County Delegation, including the Senator, shall have the right to remove a member of the commission for cause.”

SECTION 3. Section 2-223, 1952 Code, amended—officers—compensation—bond of treasurer.—Section 2-223 of the 1952 Code is amended by adding at the end thereof the following: “The chairman shall be the executive head of the commission. The commission shall choose from among its members a vice-chairman and a secretary and a treasurer and assistant secretary who may or may not be members of the commission. The treasurer shall give such bond as the commission may require. The officers and members of the commission shall serve without compensation.”

SECTION 4. Section 2-224, 1952 Code, amended—powers and duties.—Section 2-224 of the 1952 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 2-224. 1. The commission shall have the following duties:

(a) To hold, manage, further develop and control the Anderson County Airport and to adopt such rules and regulations for the operation of the airport as the commission shall deem advisable.

(b) To control itself by the vote of a majority of those voting in a meeting duly called and held. At all meetings of the commission a majority of its members shall constitute a quorum.

(c) To adopt bylaws governing its operations, fixing the duties of its officers and their terms of office, and the method of handling its affairs. The bylaws shall not be in conflict with any laws governing the commission.

(d) To make annual reports to the Anderson County Legislative Delegation.

2. The commission shall have power :

(a) To sue and be sued in all courts.

(b) To engage such agents and employees as the business of the commission requires.

(c) To make contracts.

(d) To receive any gifts and donations from any sources for the purpose of maintaining, operating, extending and improving the Anderson County Airport.

(e) To acquire in the name of Anderson County Airport Commission property, real and personal, by purchase, and Anderson County Airport Commission may condemn any land, easements or personalty, the commission may deem necessary for the purpose of developing the airport and for protecting its airplane landing field. The condemnations shall be executed in the same manner as provided in Sections 25-101 through 25-140.

(f) To rent or lease any property, real or personal, in its care, and to use all funds received from such transactions to carry out purposes for which the commission was established."

SECTION 5. Section 2-225, 1952 Code, amended—appropriations.—Section 2-225 of the 1952 Code is amended by striking it out and inserting in lieu thereof the following :

"Section 2-225. The County of Anderson may appropriate and donate to the commission such sums of money as a majority of the Anderson County Legislative Delegation, including the Senator, may deem necessary for the purposes of the commission."

SECTION 6. Section 2-226, 1952 Code, amended—in case of dissolution assets to belong to Anderson County.—Section 2-226 of the 1952 Code is amended by striking it out and inserting in lieu thereof the following :

"Section 2-226. In case of the dissolution and liquidation of the commission and airport, all assets of the commission, after paying its obligations, shall belong to Anderson County."

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1156, H2722)

No. 948

An Act To Increase The Civil Jurisdiction Of Magistrates In Laurens County To Two Hundred Dollars.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Civil jurisdiction of magistrates in Laurens County.—Notwithstanding the provisions of Section 43-51 of the 1952 Code or any other law to the contrary the civil jurisdiction of all magistrates in Laurens County shall extend to cases where the amount in controversy does not exceed two hundred dollars, provided such jurisdiction shall not extend to cases where the title to real estate is in question or to cases in chancery.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1162, H2639)

No. 949

An Act To Amend Act 875 Of 1960, As Amended, Relating To The Criminal, Juvenile And Domestic Relations Court Within York County, So As To Provide For The Appointment Of An Assistant Judge Or Assistant Solicitor In The Event Of A Temporary Absence Of Short Duration Of The Judge Or Solicitor Of The Court, And To Provide That The Court Shall Have Concurrent Jurisdiction With The Circuit Court In Matters Relating To Annulment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 9 of Act 875 of 1960 amended—special judge or solicitor may be appointed.—Section 9 of Act No. 875 of 1960 is amended by adding at the end thereof the following :

“In the event of a temporary inability of short duration to serve in the office of judge or solicitor, the judge of the Sixth Judicial Circuit may, upon petition of the President of the York County Bar Association, appoint some suitable person to serve for a period of short duration, the compensation for such service to be paid by the Treasurer of York County upon approval by the majority of the county legislative delegation on a per diem basis of twenty-five dollars in the event of a special judge and of twenty dollars in the event of a special solicitor.”

SECTION 2. Section 15 of Act 875 of 1960 amended—jurisdiction of Juvenile and Domestic Relations Division.—Section 15 of Act No. 875 of 1960, as amended, is further amended by striking at the end of the third sentence “and divorces.” and inserting in lieu thereof “, annulment and divorces.” so that when amended, the section shall read as follows :

“Section 15. The Juvenile and Domestic Relations Division shall have original jurisdiction concerning the welfare of any male child less than seventeen years of age and any female child less than eighteen years of age living or found within the county and once jurisdiction of such a child is acquired, the court can retain jurisdiction of such child until he reaches the age of twenty-one years unless the judge, in his discretion, determines that the child should be referred to the Criminal Division of this court or to the jurisdiction of another court of competent jurisdiction. This division shall have jurisdiction to try and dispose of the case of any male child under seventeen years of age, and any female child under eighteen years of age who has been charged with violating any law within the jurisdictional limits of this court ; and the case of any child requesting trial by jury shall be transferred to the Criminal Division of this Court or another court of competent jurisdiction. This division shall likewise have concurrent jurisdiction with the circuit court in matters relating to support, annulment and divorces. The term ‘court’ used in the sections of this act relating to this division shall mean the Juvenile and Domestic Relations Division of the Court herein established.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1164, H2645)

No. 950

An Act To Authorize The Clerk Of Court Of Lancaster County To Remove From His Office All Records Pertaining To Chattel Mortgages And All Tax Receipt Books That Are Eight Years Old Or Older.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lancaster County Clerk of Court may remove old records.—The Clerk of Court of Lancaster County is authorized to remove from his office all records pertaining to chattel mortgages and all tax receipt books eight years old or older on the effective date of this act. Thereafter the clerk of court shall be authorized to remove from his office any of these records as they become eight years old.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1167, H2665)

No. 951

An Act To Amend Section 27-93, Code Of Laws Of South Carolina, 1952, Relating To Clerk Of Court Fees For Pickens County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 27-93, 1952 Code, amended—clerk of court fees for Pickens County.—Items (x), (ddd), (fff) and (ggg) of Section 27-93, Code of Laws of South Carolina, 1952, are amended by striking them out and inserting in lieu thereof the following:

“(x) for recording a plat of land under an order of the court or copying such a plat, one dollar;

(ddd) for a deed of conveyance, real estate mortgage or chattel mortgage, one dollar for the first page and fifty cents for each additional page;

(fff) for entering satisfaction on a mortgage, twenty-five cents;

(ggg) for recording or copying a plat, one dollar.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1168, H2666)

No. 952

An Act To Provide For Fees Charged By The Office Of The Probate Judge For Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Judge of probate fees for Orangeburg County.—

Notwithstanding the provisions of Section 27-305 of the 1952 Code, the total fees charged by the office of the Probate Judge for Orangeburg County in the ordinary settlement of a testate or intestate decedent's estate, exclusive of advertising costs and the fees listed in Section 2 of this act, shall be as follows and shall be payable one-half on the appointment of the executor or administrator and one-half on his discharge: Estates of one thousand dollars or less, twelve dollars; Estates of two thousand dollars or less, fourteen dollars; Estates of three thousand dollars or less, sixteen dollars; Estates of four thousand dollars or less, eighteen dollars; Estates of five thousand dollars or less, twenty dollars; Estates of ten thousand dollars or less, twenty-five dollars; Estates of twenty thousand dollars or less, thirty dollars; Estates over twenty thousand dollars to fifty thousand dollars, thirty-five dollars; and Estates over fifty thousand dollars, fifty dollars.

SECTION 2. Fees—further.—The following specific fees shall be charged by the office of the Probate Judge for Orangeburg County: Marriage license, three dollars; proving a Will in due form of law, six dollars; a certified copy of marriage license, one dollar; taking, receiving and filing an annual return of an administrator, executor, guardian or trustee, three dollars; hearing and filing a petition for the sale of personal property and recording the same with Order thereon, two dollars; Petition and Order for the appointment of a guardian ad litem—for each minor or incompetent, two dollars; a hearing or reference in any litigated case—for each day, four dollars; for each witness sworn, fifty cents; certifying to any paper on file in his office—for each certificate, fifty cents; furnishing on appeal a copy of proceedings or cases before him—per hundred words, twenty cents; for each necessary certificate, fifty cents; hearing a petition to sell real estate in aid of assets, four dollars; for each witness examined, fifty cents; proceedings in Dower and in setting off homestead, the same fees as allowed in proceedings to sell lands in aid of assets; receiving and paying over money officially, two per cent on the first four hundred dollars and one and one-half per cent on all money over

and above four hundred dollars; selling each lot or tract of land, three dollars; each deed or mortgage executed or made by him, four dollars. *Provided*, that in instances where a fee is not specifically set by this act the fee shall be that set by general law.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1169, H2642)

No. 953

An Act To Create The Check Clearing House In Richland County; To Amend Sections 43-976 And 27-422, As Amended, And 43-981, Code Of Laws Of South Carolina, 1952, Relating To Magistrates And Constables In Richland County, So As To Provide That The Magistrate Who Is The Director Of The Check Clearing House Shall Have Concurrent Jurisdiction With All Other Magistrates In Fraudulent And Bad Check Cases; To Further Provide For Fees In Such Cases; And To Further Provide For Constables.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Check Clearing House created for Richland County.—There is hereby established in Richland County a public records office to be known as the "Check Clearing House".

SECTION 2. Supervision of.—The Check Clearing House shall be under the supervision of the magistrate designated by a majority of the Richland County Legislative Delegation, including the Senator, who shall be designated the Director of the Check Clearing House, and who shall have general supervision of its records, reports, operations, systems and employees; *provided*, however, that employment of personnel and their hours of duty shall be subject to approval by the County Legislative Delegation.

SECTION 3. Magistrates to make reports.—In addition to all other required reports each magistrate shall report to the Check Clearing House:

(1) By telephone immediately upon issuance of an arrest warrant upon a fraudulent or bad check, the fact of issuance and the name and address of the person against whom such warrant was issued; and

(2) By telephone immediately upon arrest of a person so charged, the fact of such arrest and the place where the person so charged is or may be confined or held. All such reports shall be confirmed by mail on or before Saturday of each calendar week.

SECTION 4. Reports to be made to magistrates.—The Check Clearing House shall report to each other magistrate in Richland County, who has issued such an arrest warrant against the same person, by telephone immediately upon receiving the notice required by Section 3 (2) above, the fact of such arrest and the place where the person so charged is or may be confined or held. Such report shall be confirmed by mail before the end of the calendar day.

SECTION 5. Records.—The Check Clearing House shall maintain up-to-date records on all reports received of such warrants and on all reports concerning arrests made upon such warrants and subsequent disposition thereof. The records maintained by the Check Clearing House are hereby defined as public records and employees of the Check Clearing House shall, upon inquiry, supply information concerning such records to interested parties.

SECTION 6. Section 43-976, 1952 Code, amended—jurisdiction of magistrates and Director of Check Clearing House.—Section 43-976 of the 1952 Code, as amended, is further amended to read as follows:

“Section 43-976. Such magistrates shall have separate and exclusive territorial jurisdiction in their respective districts as hereinabove described, in all civil and criminal cases as provided by the Constitution of this State and the laws enacted by the General Assembly. In civil cases the magistrates shall have jurisdiction where the defendant resides and in criminal cases where the offense was committed; *provided*, however, that the Director of the Check Clearing House shall have concurrent jurisdiction with all other magistrates in fraudulent check cases under Sections 8-176, 8-177 and 8-178, all of the foregoing subject to such provision for a change in venue from one magistrate’s district to another as provided for by the Constitution of this State and the laws enacted by the General Assembly.”

SECTION 7. Section 43-981, 1952 Code, amended—appointment of constables.—Section 43-981 of the 1952 Code is amended to read as follows:

“Section 43-981. Magistrates may appoint such constables as are provided for in the annual county appropriations act.

The Director of the Check Clearing House may also appoint two additional constables who shall serve without cost to the county.

SECTION 8. Item (3) of Section 27-422, 1952 Code, amended—Richland County—fees in worthless check cases.—Item (3) of Section 27-422 of the 1952 Code is amended to read as follows:

“(3) *In Richland County*, magistrates ten dollars, of which five dollars shall be paid to the county treasurer, and mileage as in all cases provided in item (10) of Section 27-451.”

SECTION 9. Removal from office for violations.—Any magistrate convicted of violating any of the provisions of this act shall be summarily removed from office by the Governor; and any personnel of the Check Clearing House violating any of the provisions of this act shall be summarily dismissed by the Director of the Check Clearing House.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1172, H2713)

No. 954

An Act To Create The Richland County Commission For Technical Education And To Define Its Functions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Section 23 of Act 323 of the Acts of 1961, a program looking to the establishment of adequate vocational and technical educational facilities in the State, intended to coordinate with the industrial expansion of South Carolina, was instituted on a basis requiring cooperation between the State agency therein created and counties or areas within the State. It is specifically required therein that in order for any county or area to comply with the program and thus to receive the benefits of the program, it must make available, and operate adequate facilities, and at the same time provide for adequate local supervision. The General Assembly further finds that there is an immediate need for the institution of the program in Richland County wherein the continued expansion of industrial activity has created an unusual need for persons with technical training, and

that the furtherance of vocational and technical education in Richland County should be promptly advanced. It has, therefore, determined to establish for Richland County a commission to be known as the "Richland County Commission for Technical Education" as an administrative agency of Richland County, and to prescribe for the Commission its functions.

SECTION 2. Richland County Commission for Technical Education created—members—terms—vacancies—officers.—There is hereby created, as an administrative agency of Richland County, a commission to be known as the "Richland County Commission for Technical Education" (hereinafter referred to as the "Commission"), which shall consist of nine members. All appointments to office of the Commission shall be made by the Governor, upon the recommendation of a majority of the legislative delegation, including the Senator, from Richland County. Of those first appointed, three shall have a term of one year, three shall have a term of two years, and three shall have a term of three years. Upon the expiration of the terms of office of those first appointed, successors shall be appointed for terms of three years in the same manner as those originally appointed. If any vacancy shall arise, a successor shall be appointed by the Governor for the balance of the unexpired term in the same manner as the original appointments were made. The members of the Commission shall hold office until their successors shall have been appointed and shall qualify. All terms of office shall terminate on the appropriate anniversary of the effective date of this act, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon as the initial appointments have been made, the Commission shall organize by electing one of its members as Chairman, another as Vice-Chairman and a third as Secretary. A transcript of the record of the initial organization shall be filed with the Clerk of Court of Richland County in order to reflect the initial membership of the Commission and those who shall become its officers.

SECTION 3. Powers and duties.—The Commission is hereby authorized and empowered to do all things necessary or convenient to promote the objects of the program instituted by Section 23 of Act 323 of 1961, and without in any way limiting the generality of the foregoing, shall be empowered as follows:

(1) To adopt and use a corporate seal.

(2) To adopt such bylaws, rules and regulations for the conduct of business and the expenditure of its funds as it may deem advisable.

(3) To acquire a site within Richland County and to construct and equip thereon appropriate facilities in accordance with the standards and specifications promulgated by the State Advisory Committee established by Section 23 of Act 323 of 1961.

(4) To acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property.

(5) To accept gifts, grants, donations, devises and bequests.

(6) To provide appropriate supervision of the maintenance of any facility established to promote vocational or technical education.

(7) To provide the necessary administrative services required by the State program.

(8) To employ such personnel as may be necessary to enable the Commission to fulfill its functions.

(9) To establish, promulgate and enforce reasonable rules and regulations, in conjunction with those promulgated by the State agency, for the operation of its facilities.

(10) To operate its affairs on a fiscal year coinciding with that of Richland County.

(11) To expend any funds received in any manner, including the proceeds derived from any bonds issued by Richland County to defray any costs incident to the establishment of adequate facilities for the program, and thereafter to expend such funds for the operation, maintenance and improvement of the facilities.

(12) To apply for, receive, and expend moneys from all governmental agencies, both State and Federal.

(13) To exercise all powers contemplated for local agencies by Section 23 of Act 323 of 1961, and all other laws modifying, amending or implementing it.

SECTION 4. Records and audit.—The Commission shall at all times keep full and accurate account of its acts and of its receipts and expenditures, and at least once within four months, following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the audit shall be filed with the Clerk of Court for Richland County and with the Secretary of the Richland County Legislative Delegation.

SECTION 5. Reports.—Not less frequently than annually the Commission shall make a written report of the activities of the Commission and file a copy with the Secretary of the Richland County Legislative Delegation.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1173, H2663)

No. 955

An Act To Change The Name And Voting Place Of Jonesville Voting Precinct In Greenville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Voting precinct in Greenville County changed.—Notwithstanding the provisions of Section 23-176, Code of Laws of South Carolina, 1952, as amended, the name of the Jonesville voting precinct in Greenville County is hereby changed to Pliney voting precinct, and the voting place for the precinct is hereby changed from Jonesville school to the Pliney Grange Hall.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1175, H2698)

No. 956

An Act To Amend Section 65-1987, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Discount Allowed On Payment Of Taxes In Certain Counties, So As To Delete Darlington County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1987, 1952 Code, amended—discount allowed on payment of taxes in certain counties.—Section 65-1987 of the 1952 Code, as last amended by Act 88 of 1957, is amended by striking on line 4 of Section 1 of the amending act the following: "Darlington," so that when amended the section shall read as follows:

"Section 65-1987. All persons against whom taxes are assessed in Clarendon, Lee and Marion Counties shall be allowed a discount on

such taxes if paid within the year in which they are assessed on or by the following dates upon a percentage basis as follows:

(1) On or before October 15th of each year a discount of three per cent;

(2) On or before November 15th of each year a discount of two per cent; and

(3) On or before December 15th of each year a discount of one per cent."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1179, H2735)

No. 957

An Act To Amend Section 14-2001, Code Of Laws Of South Carolina, 1952, Providing For A Board Of County Commissioners For Georgetown County, So As To Increase The Number Of Members, And To Provide For The Areas From Which They Shall Be Appointed.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-2001, 1952 Code, amended—Georgetown County Board of Commissioners—appointments and terms.—Section 14-2001, Code of Laws of South Carolina, 1952, is amended by striking it out in its entirety and inserting in lieu thereof the following:

"Section 14-2001. The Board of Commissioners of Georgetown County shall be composed of nine members, who shall be appointed by the Governor upon the recommendation of the Senator and at least one member of the House of Representatives from Georgetown County and shall serve for two years and until their successors have been appointed and qualify. They shall be appointed as follows: two from Townships Nos. 1, 2 and 3; two from Township No. 4; two from Townships Nos. 5 and 6; one from Township No. 7; and two from the county at large. Any member shall be removed by the Governor upon the written request of the Senator and at least one member of the House of Representatives from Georgetown County."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1187, H2699)

No. 958

An Act To Create The Dorchester County Aeronautics Commission; To Provide For Its Membership, Their Terms And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dorchester County Aeronautics Commission created.—There is hereby created the Dorchester County Aeronautics Commission which shall be composed of three members to be appointed by the legislative delegation for two-year terms. The commission shall cooperate with State and Federal agencies with the view of fostering aviation within the county.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1188, H2701)

No. 959

An Act To Authorize The City Council Of The City Of Pickens In Pickens County To Increase The Annual Tax Levy By Ten Mills.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. City of Pickens may increase tax levy.—The City Council of the City of Pickens in Pickens County may increase the annual tax levy by ten mills.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1193, S665)

No. 960

An Act To Authorize The Finance Board Of Greenwood County To Enter Into Agreements With Property Owners For Reimbursements Of Expenditures Made For Improvements To Certain Roads And To Repeal Act No 292 Of 1959 Relating To Agreements Between The Finance Board Of Greenwood County And Property Owners For Reimbursement Of Expenditures Made For Improvements Of Roads.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County may make reimbursement agreements with property owners for road improvements.—The Finance Board of Greenwood County is hereby authorized and empowered to enter into agreements with property owners of Greenwood County whereby the county will reimburse property owners for certain expenditures for road improvements in residential or industrial subdivisions, subject to the provisions of this act.

SECTION 2. Conditions.—No such agreement shall be entered into after the effective date of this act unless and until :

(1) The property owner, prior to the initiation of any work on the proposed road, by grading or the preparation of a base, shall notify the Finance Board, in writing, of his intention to construct the road and secure a certificate of approval signed by the county supervisor and county engineer approving plans for the road, including specifications for the preparation and laying of the road bed and base, provision for drainage, the location of the road, safety features and adequacy of right-of-way.

(2) A certificate of the county engineer is secured certifying his inspection and approval of the construction of the road bed and base, including provision for drainage.

(3) A certificate of the county engineer is secured certifying his approval of plans and specifications for the mixing and shaping of the road base and the bituminous surfacing of the road, which specifications shall conform to the South Carolina State Highway Department standard for farm-to-market roads specified by the county supervisor.

SECTION 3. Form and execution.—The Finance Board shall prepare standard forms for the execution of reimbursement agreements. Each such agreement shall be executed in triplicate and in the following manner :

- (1) The agreement shall contain the following provisions:
 - (a) the length of the road to be improved, and a description of it by name or subdivision;
 - (b) the total amount to be reimbursed and the unit costs;
 - (c) the value of improvements to be placed upon abutting property in order to qualify for reimbursement;
 - (d) the earliest date on which reimbursement may be claimed as fixed by the legislative delegation; and,
 - (e) the certificates herein required endorsed at the foot thereof.

(2) The sponsoring property owner shall execute and present the proposed agreement, in triplicate, to the Finance Board, at which time it must have endorsed thereon the certificates required by Section 2 hereof.

(3) Upon execution on behalf of the county by the Finance Board the agreement shall be submitted to the county legislative delegation for advice as to the availability of funds for reimbursement and endorsement of a specified date as the earliest possible date for reimbursement.

(4) Thereupon the original of the agreement shall be retained by the Finance Board and copies thereof forwarded to the property owner and to the secretary of the Board of Assessors of Greenwood County.

SECTION 4. Supervision and approval of county engineer.—The improvements contemplated by such agreement, including mixing and shaping of the road base and laying of bituminous surfacing, shall be made under the supervision and inspection of the county engineer and his certificate of approval of the improvements must be endorsed on the agreement before any reimbursement may be paid.

SECTION 5. Obligations of county.—No such agreement entered into after the effective date of this act shall obligate Greenwood County to pay as reimbursement for road improvements any sum greater than the average price paid by the South Carolina State Highway Department during the preceding fiscal year (or the latest fiscal year for which the South Carolina Highway Department's Annual Report is available) for mixing and shaping and bituminous surfacing on secondary program projects nor shall obligate Greenwood County to reimburse for any width of roadway in excess of twenty feet or to reimburse for any other items of road improvement other than those specified.

SECTION 6. Tax returns of improvements.—The reimbursement contemplated by such agreements shall be expressly conditioned in each such agreement upon the erection and return for county taxation of improvements upon the property abutting the new road of a minimum market value of one hundred twenty-five thousand dollars per mile and a minimum assessed value of ten thousand dollars per mile, which improvements must be uniformly distributed along the new road. Compliance with this requirement shall be certified by the county board of tax assessors prior to reimbursement. No partial reimbursement shall be made.

SECTION 7. Final approval.—When a road is certified by the county board of tax assessors as eligible for reimbursement, in accord with Section 6 hereof, a final inspection of the road shall be made by the county engineer. Upon the written certificate of the county engineer that the road is in satisfactory condition for assumption by the county, and upon the delivery of a deed conveying to Greenwood County a right-of-way for the road of a minimum width of fifty feet, or such greater width as the Finance Board may specify and require, together with any necessary easements for drainage, the road shall be formally accepted by the Finance Board as a part of the county road system and shall thereafter be maintained by the county. Any defects in the road found and reported by the county engineer upon making his final inspection must be corrected and repaired by the property owner, at his expense, before the county engineer shall be authorized to certify the road to be in satisfactory condition.

SECTION 8. County to bear certain expenses.—The county shall bear the cost of all inspections and certificates required by this act.

SECTION 9. Reimbursement funds.—Reimbursements under such agreements shall be made only from such funds as may be appropriated for road improvements. If funds are not available from which to make reimbursement, reimbursement of the particular agreement must be postponed until funds are provided by supplemental or annual appropriation.

SECTION 10. Surveys and inventories of agreements and roads.—The Finance Board shall semiannually survey and inventory pending agreements and roads subject thereto, with consideration of the progress of erection of improvements thereon, and shall advise the county legislative delegation after each such survey of their estimate as to when such agreements will qualify for full or partial reimburse-

ment, with a schedule of the amounts thereof arranged by fiscal year, this being for the delegation's advice in determining dates for reimbursement on new agreements and in providing appropriations.

SECTION 11. Not to affect certain roads under construction.—

The prohibition expressed in Section 2 hereof shall not be applicable to roads on which bona fide construction has commenced prior to the effective date of this act, if the landowner sponsoring such a road gives written notice to the Finance Board within thirty days from the effective date of this act and thereafter complies with the provisions of Section 2.

SECTION 12. Act 292 of 1959 repealed.—Act No. 292 of 1959 is hereby repealed.

SECTION 13. Time effective—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1194, S696)

No. 961

An Act To Create A New Voting Precinct In Horry County To Be Known As The Cherry Grove Beach Precinct.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Cherry Grove voting precinct created in Horry County.—In addition to the voting precincts provided in Section 23-179, Code of Laws of South Carolina, 1952, as amended, there is hereby created a voting precinct in Horry County to be known as the Cherry Grove Beach Precinct. All qualified electors residing within the municipal limits of the Town of Cherry Grove Beach shall vote at the precinct.

SECTION 2. Time effective.—This act shall take effect on January 1, 1963.

Approved the 16th day of April, 1962.

(R1195, S697)

No. 962**An Act To Provide That Organized Clubs May Obtain Permits To Train Rabbit Dogs For Field Trials In Cherokee County.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Permits to train rabbit dogs in Cherokee County.

—Any organized club in Cherokee County may apply to the Director of the South Carolina Wildlife Resources Department, Division of Game, for a permit to train rabbit dogs for field trials during the closed season for rabbits. The application shall contain a description of the area in Cherokee County in which such training is to be accomplished. The Division of Game may issue the permit for such area only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1198, S704)

No. 963**An Act To Amend Section 3 Of Act 291 Of 1961, Relating To Eligibility Requirements For Communities In Newberry County Who Wish To Receive Fire-Fighting Equipment, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 291 of 1961 amended—exceptions for existing fire stations.—The last paragraph of Section 3 of Act 291 of 1961 is amended by inserting between the words "size" and "of" on line 1 of the paragraph the words "and ownership". The paragraph when amended shall read as follows:

"The provisions of this section relative to the size and ownership of lots or buildings shall not apply to existing fire stations or the lots upon which they are located."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1199, S703)

No. 964**An Act To Amend Act No. 861 Of The Acts Of 1960 Relating To The Beaufort County Development Commission So As To Increase The Membership And To Further Provide For The Terms Of The Members.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 861 of 1960 amended—Beaufort County Development Commission created—membership.—Section 1 of Act No. 861 of the Acts of 1960 is amended by striking the word “five” on line two and inserting in lieu thereof the word “nine”, so that when so amended the section shall read as follows :

“Section 1. The Beaufort County Development Commission is hereby created. The commission shall consist of nine members who shall be appointed by the Governor upon the recommendation of a majority of the Beaufort County Legislative Delegation, including the Senator.”

SECTION 2. Section 2 of Act 861 of 1960 amended—terms and vacancies.—Section 2 of Act No. 861 of the Acts of 1960 is amended by striking it in its entirety and inserting in lieu thereof the following :

“Section 2. The members of the commission shall serve for terms of four years or until their successors are appointed and qualify, except that the first appointment shall be as follows: three for one year, two for two years, two for three years, and two for four years. Vacancies shall be filled for the unexpired terms in the same manner as the original appointments.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1200, S705)

No. 965**An Act To Amend Section 15-266, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Terms Of Court In The Fourth Judicial Circuit, So As To Change The Terms Of Court In Darlington County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-266, 1952 Code, amended—terms of court in Fourth Judicial Circuit.—Section 15-266 of the 1952 Code, as amended, is further amended to read as follows:

“Section 15-266. The courts of the fourth judicial circuit shall be held as follows:

(1) Courts of General Sessions: At Chesterfield for Chesterfield County on the first Monday in February, the second Monday in June and the second Monday in November; at Bennettsville for Marlboro County on the second Monday in February, the first Monday in June and the first Monday in October; at Darlington for Darlington County on the second Monday in January, the second Monday in April, the third Monday in June and the first Monday in November; and at Dillon for Dillon County on the second Monday in March, the fourth Monday in June and the fourth Monday in September.

(2) Courts of Common Pleas: At Chesterfield for Chesterfield County on the first Monday in January, the third Monday in February, the third Monday in April, the fourth Monday in May, the first Monday in September, the fourth Monday in October and the fourth Monday in November; at Bennettsville for Marlboro County on the third Monday in January, the first Monday in March, the first Monday in April, the third Monday in May, the second Monday in October and the first Monday in December; at Darlington for Darlington County on the fourth Monday in January, the third Monday in March for two weeks, the second Monday in May, the third Monday in September and the second Monday in December; at Dillon for Dillon County on the fourth Monday in February, the first Monday in May, the second Monday in September, the third Monday in October and the third Monday in November.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

An Act To Establish The Municipal Court Of The City Of Charleston In Charleston County; To Amend Section 15-955, Code Of Laws Of South Carolina, 1952, Relating To The Jury Box In Certain Cities, So As To Delete The City Of Charleston

From The Provisions Thereof And To Repeal Sections 15-1551 Through 15-1580, Code Of Laws Of South Carolina, 1952, Relating To The Recorder And The Recorder's Court In The City Of Charleston.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Municipal Court of the City of Charleston established.—There shall be established in the City of Charleston a court known as the Municipal Court of the City of Charleston which shall not be a court of record and which shall be maintained pursuant to the provisions of this chapter exclusively.

SECTION 2. Jurisdiction.—The court shall have the following jurisdiction :

(1) Original and exclusive jurisdiction of all offenses committed within the corporate limits of the City of Charleston, which may be subject to the penalties of fines or forfeiture not exceeding one hundred dollars, or imprisonment, with or without hard labor, not exceeding thirty days, and of all offenses which are now or may hereafter be within the jurisdiction of magistrates or recorders;

(2) Original and exclusive jurisdiction of all offenses committed within the corporate limits of the municipality which are not within the exclusive jurisdiction of the court of general sessions, whether such offenses are in violation of a city ordinance, State statute, or the common law, provided the offenses are not subject to penalties in excess of those provided in the preceding section.

SECTION 3. Jurisdiction—further.—When any person is convicted or pleads guilty to any offense in the court, the judge may sentence him to pay a fine not exceeding one hundred dollars or serve a term not exceeding thirty days in jail, with or without hard labor, and any sentence may be imposed within these limits singly or in the alternative. The judge may in his discretion suspend sentence imposed by him upon such terms as in his discretion may seem fit and proper.

SECTION 4. Judge—election and salary.—The Municipal Court of the City of Charleston shall be presided over by the Judge of the Municipal Court of the City of Charleston, who shall be elected by the City Council of Charleston annually and shall serve until his successor is elected and shall qualify. The salary of the judge to be paid by the city shall be determined by city council.

SECTION 5. Associate judge—compensation and duties.—The council may also elect an Associate Judge of the Municipal Court of the City of Charleston to serve at the pleasure of council. The salary of the associate judge to be paid by the city shall be determined by the city council. The associate judge shall assist the Judge of the Municipal Court of the City of Charleston and shall perform such duties and preside over such sessions of the municipal court as shall be prescribed by the judge or the mayor. The associate judge may be a member of the city's legal staff, temporarily appointed in that capacity, or may be another person.

SECTION 6. Additional judges.—In the absence of either the judge or the associate judge, the Municipal Court of the City of Charleston may be held by the Judge of the Civil and Criminal Court of Charleston, or by one of the following to be designated by the mayor; a magistrate of Charleston County, an alderman of the City of Charleston, a member of the legal staff of the City of Charleston.

SECTION 7. Judge—powers of.—The judge of the municipal court, or any duly authorized officer holding such court, shall have the power: to hear and determine motions for new trials and Arrest of Judgment; to issue subpoenas for the attendance of witnesses and warrants for the arrest of defendants; to swear witnesses; to punish for contempt; and, to issue all other usual processes according to the known and approved rules of the common law and statutes; in the discharge of their duties, to exercise all powers of the judges of the courts of general sessions and common pleas within their jurisdiction; and have the powers, duties and jurisdiction of the Judge of the Civil and Criminal Court of Charleston, and those formerly exercised by or imposed upon a judicial magistrate, except that they shall not receive any additional compensation and shall not have the authority to appoint a constable.

SECTION 8. Appeals.—Every person convicted in the Municipal Court of the City of Charleston, of any offense whatever and sentenced, may appeal from the sentence to the next term of court of general sessions for the county. The appellant shall, within five days after sentence, serve written notice of appeal upon the judge who tried the case, or upon the clerk of court, stating the grounds upon which the appeal is founded.

Within twenty days after such service, the judge shall file the notice in the office of the clerk of court of general sessions, together with a statement of all proceedings in the case. If the testimony was taken in writing, a transcript of it shall be filed upon its completion, but in no case later than forty-five days after sentencing.

SECTION 9. Appeals further.—Upon service of the notice the judge shall, on demand of the defendant, admit him to bail in such reasonable sum, and with good sureties, as the judge may require, with conditions:

(1) To appear at the court appealed to and at any subsequent term to which the case may be continued, if not previously surrendered, and so from term to term until the final decree, sentence or order of the court thereon;

(2) To abide such final sentence, order or decree and not depart without leave; and

(3) In the meantime to keep the peace and be of good behavior.

SECTION 10. To be placed on docket.—The clerk of court, upon receipt of the case, shall place it upon the proper docket of the court of general sessions for trial or other disposition at the next ensuing term of court.

SECTION 11. Appeals—hearing of.—The appeal shall be heard by the court of general sessions upon the grounds of exceptions made and upon the papers hereinbefore required, without the examination of witnesses in such court. The court may either confirm the sentence appealed from, reverse or modify it or grant a new trial, as to the court may seem meet and conformable to law.

SECTION 12. Clerk of Court.—The clerk of the municipal court, if such position be authorized by city council, shall be appointed by the mayor and shall have authority to administer oaths, issue subpoenas, and shall have all the powers and authority within the jurisdiction of the municipal court as have clerks of the circuit courts.

SECTION 13. Duties of clerk.—It shall be the duty of the clerk of court, if such position be authorized by city council, to keep an accurate and true record of all costs, fines, forfeitures and punishments by the court imposed, and the record shall show the name and residence of the offender, the nature of the offense, the date of the hearing of the trial and the punishment imposed, which record shall at all times be open to inspection by any of the city authorities. The clerk

shall keep a permanent docket for recording all the processes issued by the court, and shall keep in proper files, to be approved by the city, a record of all cases which shall be disposed of in the court and the disposition made thereof.

SECTION 14. Fines—disposition of.—All fines and forfeitures recovered and collected in the court for any offense whatever, shall belong to the municipality and be paid into the treasury thereof.

SECTION 15. Election of charges.—Whenever a person be accused of committing an act which is susceptible of being designated as several different offenses, the judge of the municipal court upon the trial of such person shall be required to elect which charge to prefer and a conviction or an acquittal upon such elected charge shall be a complete bar to further prosecution for the alleged offense.

SECTION 16. Witnesses—testimony of.—At the request of the defendant, in the trial of any case, the testimony of all witnesses shall be taken down in writing. When a stenographer shall take down such testimony it need not be read over and signed by the witnesses. The judge or associate judge of the municipal court may appoint a suitable person as court reporter to take such testimony.

SECTION 17. Judge not to plead causes heard by him.—No judge shall be permitted to plead in a superior court in any cause which has been argued before or adjudged by him.

SECTION 18. Duties of police officers.—One of the officers of the police force shall be in constant attendance in the municipal court and shall take proper measures for the safekeeping of the prisoners and for carrying into effect the orders of the court.

SECTION 19. Rules and procedure.—The city council and the judge of the municipal court shall prescribe and from time to time regulate the practice of the Municipal Court of the City of Charleston and of the attorneys therein, and such practice shall conform as nearly as practicable to the forms and rules used in the circuit courts of this State.

SECTION 20. Jury trials.—In the trial of any case in the municipal court, upon the timely demand for a jury, a jury shall be summoned and empaneled.

SECTION 21. Jury commissioners—box.—The Mayor and the Clerk of City Council of Charleston shall be the jury commissioners

for the municipal court. They shall, within the first ten days of each year, prepare and place in a box, to be known as the jury box, the names of one thousand citizens residing within the corporate limits of the city eligible to do jury duty and of good moral character, and shall lock and keep the jury box convenient for the drawing of a jury, as herein specified. If the number of names in the box be reduced to less than two hundred names, then the box shall be refilled to the full number in the same manner as herein provided.

SECTION 22. Jurors—selection of.—In all cases in the municipal court in which a jury may be demanded by either the city or the defendant, a jury shall be selected in the following manner: the clerk or acting clerk of the court shall draw out of the jury box eighteen ballots, each containing the name of an eligible juror, and list the eighteen names in duplicate, delivering one copy to the attorney for the city, if he be present, and if not, to the chief of police or some other officer designated by the chief, and one copy to the defendant or his attorney. No person shall be liable to serve twice in any calendar year until all the names in the jury box have been drawn out.

Each side shall have six peremptory challenges to be exercised alternately commencing with the city, and the persons whose names remain shall constitute the jury. Should either party not wish to exercise all his challenges, the clerk shall strike the last name or names drawn until there shall remain six persons who shall not have been challenged, and such six shall constitute the jury. Should any of the six remaining be disqualified by law, or cannot be found, and the parties do not supply the vacancy by agreement, the clerk shall proceed to draw out of the jury box ballots for three times the number thus deficient who shall be disposed of and drawn as above provided.

SECTION 23. Qualifications.—All persons possessing the qualifications prescribed for jurors by the laws of the State, and who have resided in the city for four months before being sworn, shall be liable to serve as jurors in the court, saving and reserving to all persons all lawful excuses and exemptions as in other courts.

SECTION 24. Persons not appearing to forfeit bond.—Upon any charge made against any person released on bond and not appearing when called, the judge or associate judge may order the bond forfeited.

SECTION 25. Testimony.—In taking of testimony and preparation of the record in cases of appeal from the municipal court, the tran-

script of the notes of the testimony taken on the trial by a sworn reporter, shall be held to be equivalent to testimony signed by the witness.

SECTION 26. Information.—All proceedings before the municipal court shall be commenced on information under oath, plainly and substantially setting forth the offense charged upon which, and only upon which, shall a warrant of arrest issue. The information may be amended at any time before trial.

SECTION 27. Summary proceedings.—All proceedings before the court shall be summary, or with only such delay as a fair and just examination of the case requires.

SECTION 28. Subpoena of witnesses.—Any judge, on the application of any party to a cause pending before him, shall issue a subpoena citing any person whose testimony may be required in such cause to appear before him at a certain time and place, not more than twenty miles from the residence of such witness, to give evidence. Such subpoena shall be served personally at least one day before such attendance is required. If such person shall neglect or refuse to attend, the judge may order such witness to be brought before him or, if any witness attending shall refuse to give evidence, without good cause shown, the judge may commit him to the jail of the county for not longer than one day.

SECTION 29. Contempt of court.—A judge of the municipal court shall have power to enforce the observance of decorum in his court while holding court and for that purpose he may punish any person who shall, in the presence of the court, offer an insult to the judge or a juror or who shall be wilfully guilty of an undue disturbance of the proceedings before the court while sitting officially, as for a contempt, by fine and imprisonment, either or both, not exceeding fifty dollars fine and twenty-four hours imprisonment.

SECTION 30. Jurors—mileage of.—Jurors in the municipal court shall receive mileage as allowed other jurors.

SECTION 31. Jurors—penalty for failure to appear.—If any juror duly summoned shall neglect or refuse to appear in obedience to any venire issued by the court and shall not, within forty-eight hours, render to the judge holding such court and issuing the venire a sufficient reason for his delinquency, he shall forfeit and pay a fine of ten dollars to the treasury of the city to be assessed by such

judge and collected on his warrant without other process. A failure to pay forthwith such fine so assessed shall constitute a contempt of court and be punished accordingly.

SECTION 32. Granting of new trials.—A judge of the municipal court may grant a new trial in any case tried in his court for reasons for which new trials have usually been granted in the courts of law of this State.

SECTION 33. Motion for new trial.—No motion for a new trial shall be heard unless made within five days from the rendering of the judgment. The right of appeal from the judgment shall exist for five days after the refusal of a motion for a new trial.

SECTION 34. Section 15-955, 1952 Code, amended—City of Charleston deleted.—Section 15-955 of the 1952 Code is amended by striking on line 1 "Charleston", so that when amended the section shall read as follows:

"Section 15-955. In the cities of Columbia and Spartanburg such boxes shall be prepared as set forth in Section 15-953, and the names of not less than one thousand qualified electors, residing within the limits of such municipality, of good moral character and eligible for jury duty shall be placed in the apartment designated as apartment 'A'."

SECTION 35. Sections 15-1551 through 15-1580, 1952 Code, repealed.—Sections 15-1551 through 15-1580 of the 1952 Code are repealed.

SECTION 36. Time effective.—This act shall take effect ninety days after its approval by the Governor.

Approved the 16th day of April, 1962.

(R1206, H2710)

No. 967

An Act To Provide For The Appointment Of A York County Committee For Technical Training.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. York County Committee for Technical Training created — members — terms — officers — reports.—There is

hereby created the York County Committee for Technical Training which shall be a body politic and corporate and which shall consist of nine members. The Governor shall appoint the following to serve for terms herein indicated: Messrs. W. M. Hull, Max L. Morgan and Ted C. Mullins, for a term of four years; Messrs. Richard Sundberg, Curtis Sigmon and R. M. Pulley for a term of three years; and Messrs. Bobbie Chapman, Baxter D. Huntley and Richard P. Smoak for a term of two years; after which their successors shall be appointed for regular terms of four years each, upon the recommendation of a majority of the York County Legislative Delegation. Mr. Ed Allen, County Supervisor, Mr. Connie Morton, member of the State Development Board, and Dr. Walter Douglas Smith, Winthrop College, shall be ex officio members. The committee shall meet as soon after appointment as practicable and shall organize by electing a chairman and such other officers as it deems necessary. Thereafter the committee shall meet upon the call of the chairman or a majority of its members. It shall make periodic reports of its activities and progress to the Legislative Delegation.

SECTION 2. Powers and duties.—The committee shall be responsible for the development and implementation of an adequate vocational and technical training program, which shall include, but not be limited to, the following: (1) a crash program coordinated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries; (2) technical training programs primarily designed to train qualified individuals as technicians for initial employment in industry; and (3) provide trade extension courses to persons who desire employment in industries and also to those presently employed who wish to improve their skills. The committee, in carrying out these programs, shall cooperate with all school districts and all counties, State and Federal agencies designed to further technical education. The committee may purchase or lease such equipment, hire such personnel, including a director and instructors, enter into such contracts, make such rules and regulations and may do such other things as may be necessary in order to carry out the provisions of this act, or to qualify to receive State and Federal aid under any present or future statute, policy or regulation. The committee shall be considered an operating unit under the general laws governing the lending of funds for capital improvements by the State Educational Finance Commission.

SECTION 3. Funds—gifts and grants—reports.—The committee shall receive and administer the funds received by it from all sources and make its local accounting annually in the same manner as school districts. The committee may receive gifts or grants of funds or property of any nature. The committee shall furnish to the State Board of Education and the State Advisory Committee for Technical Education such reports and information as shall be essential to the operation of this program.

SECTION 4. Budget.—The committee shall submit a budget to the Legislative Delegation on or before March first of each year. If a majority of the Legislative Delegation shall approve the budget, the Auditor of York County shall levy and the treasurer shall collect a tax sufficient to provide the necessary funds for the administration of this act upon all taxable property in York County.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1207, H2718)

No. 968

An Act To Provide Judge Of Probate Fees For Sumter County And To Repeal Act No. 725 Of 1954.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Judge of Probate fees for Sumter County.—Notwithstanding the provisions of Section 27-307, Code of Laws of South Carolina, 1952, or any other provisions of law, the following fees and costs shall be charged by the Judge of Probate of Sumter County. The fee for any service not included in this section shall be the same as provided by general law.

For a marriage license	\$ 3.00
For a certified copy of marriage license	1.00
For proving a will in due form of law	6.00
For taking, receiving and filing an annual return of an administration, executor, guardian or trustee	3.00
For hearing and filing a petition for the sale of personal property and recording it with the order thereon	2.00

For petition and order for the appointment of a guardian ad litem for each minor or incompetent	2.00
For a hearing or reference in any litigated case for each day	4.00
For certifying to any paper on file in his office, for each certificate25
For hearing a petition to sell real estate in aid of assets ..	4.00
For proceedings in dower and in setting off homestead ..	4.00
For selling each lot or tract of land	3.00
For each deed or mortgage executed or made by him	5.00
For each witness examined pursuant to hearings50
For receiving and paying over money officially, 2% on the first \$400.00, and 1½% on all money over \$400.00.	
For an ordinary intestacy or administration c. t. a.	\$ 35.00
If the estate does not exceed \$1,000.00 the fee shall be one-half this amount.	

This fee shall include:

- Advertising as required by law
- Petition for letters of administration
- Filing administration bond
- Letters of administration
- Inventory and appraisement
- Description of real estate
- Filing of petition for discharge
- Four certificates
- Filing and recording final return
- Letters dismissory

For an estate in which a will is included and where the executor serves	30.00
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If the estate does not exceed \$1,000.00 the fee shall be one-half of this amount

This fee shall include:

- Advertising as required by law
- Petition to prove will
- Filing and recording of will
- Letters testamentary
- Inventory and appraisement
- Description of real estate
- Four certificates
- Petition for final discharge

Filing and recording final return

Letters dismissory

Four certified copies of will which are prepared by the estate

All such fees and costs shall be collected by the judge of probate in advance, and shall be paid monthly by him to the county treasurer for credit to the ordinary funds of the county in such manner as may be provided by law.

SECTION 2. Act 725 of 1954 repealed.—Act No. 725 of 1954 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect January 1, 1963.

Approved the 16th day of April, 1962.

(R1208, H2740)

No. 969

An Act To Require The County Planning Board Of Richland County To Make Reports To The Legislative Delegation Of Richland County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Richland County Planning Board to make reports to Legislative Delegation.—Notwithstanding any other provisions of law the County Planning Board of Richland County shall make reports and recommendations from time to time to the Legislative Delegation of Richland County regarding county planning within its jurisdiction.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1210, H2746)

No. 970

An Act To Provide For Holding A Referendum In School District No. 52 In Greenwood County To Determine Whether The School Trustees Shall Be Elected, And To Authorize Elections

In The Event That Such Is Desired By A Majority Of The Qualified Electors Voting In The Referendum.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County School District 52 to hold referendum concerning election of school trustees.—The Board of Education of Greenwood County shall hold a referendum in School District No. 52, on the 8th day of May, 1962, to determine whether the qualified electors of the district desire that the school trustees of the district shall be elected rather than appointed by the Board of Education of Greenwood County as now provided. The board shall advertise the referendum in a newspaper having general circulation in the district at least twenty days prior to the holding of the referendum, and shall also post the same notice in at least three prominent places within the district at least twenty days prior thereto. The notice shall contain the date and time of the election and the voting places and shall have printed thereon the question to be upon the ballot. The board shall appoint managers and such other officials as may be necessary which may be the same as those officiating in another election or referendum on the same date. Ballot boxes shall be provided by the board which shall be separate and distinct from all other ballot boxes and the board shall distribute a sufficient number of ballots at the various voting places in the district which shall contain the following question:

“Do you favor having the Board of Trustees of School District No. 52 elected by the qualified electors of the district, rather than appointed by the County Board of Education?”

YES ☐
NO ☐

The managers shall count the ballots and certify the results to the board of education who shall publish the results of the referendum in the same manner as the results of other referendums or elections are published.

SECTION 2. Expenses.—The expenses of the referendum shall be paid by and from the funds of School District No. 52.

SECTION 3. Persons qualified to vote.—Voting in the referendum and other elections authorized by this act shall be confined to qualified

electors residing within the boundaries of School District No. 52 of Greenwood County.

SECTION 4. Trustees to be elected if referendum favorable.

—In the event that a majority of the qualified electors voting in the referendum shall decide that the trustees of the district shall henceforth be elected by the qualified electors of the district, the Board of Education of Greenwood County is hereby directed to hold the necessary elections to fill vacancies occurring on the Board of Trustees of School District No. 52 as they occur upon the expiration of the terms of the present members. The elections shall be held at least sixty days prior to the date of expiration of the terms of members, and in such election it shall be necessary that the candidates receive a majority of the votes cast in order to be elected. A second election, when necessary, shall be held two weeks after the first and shall be subject to the same provisions governing the first election, except that the candidates receiving the larger number of votes cast shall be elected. In the event that there is only one vacancy to be filled, only the two candidates receiving the greater number of votes shall be entitled to run. However, if there are two or more vacancies to be filled, there shall be twice the number of candidates as there are vacancies, who shall be those candidates receiving the greater number of votes in the first election. In the event of a tie between two candidates in the second election, the board shall order a third primary. All such elections shall be held in the same manner as provided in Section 1 of this act, and the expenses shall be paid in the same manner as provided in Section 2.

SECTION 5. Candidates to qualify.—In the event that the trustees are to be elected, candidates shall file and qualify with the board of education under such terms and conditions as may be prescribed by the board.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

An Act To Include The Area Contained In Tilly Swamp Voting Precinct In Horry County In School Zone No. 1 Of Horry County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Tilly Swamp Voting Precinct in Horry County included in School Zone 1.—Notwithstanding the provisions of Act No. 854 of the Acts of 1958 the area contained in Tilly Swamp Voting Precinct in Horry County is hereby included in School Zone No. 1 in Horry County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1213, H2290)

No. 972

An Act To Amend Section 23-175, Code Of Laws Of South Carolina, 1952, As Amended, Which Provides Voting Precincts In Georgetown County, So As To Change And Redefine The Voting Precincts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-175, 1952 Code, amended—Georgetown County voting precincts.—Section 23-175, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows: "Section 23-175. In Georgetown County there shall be the following voting precincts: Andrews; Bethel; Brown's Ferry; Carver's Bay at or near Dave Bass' place; Cedar Creek; Choppe; Georgetown No. 1 at or near the Fire Hall; Georgetown No. 2 at or near Stewart's Store, 2112 Taylor St.; Georgetown No. 3 at or near West Chevrolet Used Car Lot; Georgetown No. 4 at or near the National Guard Armory; Georgetown No. 5 Maryville at or near Wards Store; Georgetown No. 6 at or near the Ball Park; Greer's at or near Young's Cross Roads; Murrell's Inlet at or near Edward D. Byrd's Store; Pawley's Island at or near the Lachicotte Mercantile Company's Store; Pennyroyal; Plantersville; Pleasant Hill at or near Pleasant Hill school house; Potato Bed Ferry; Sampit at or near Bourne's old store; Santee; Winyah Bay, at or near Belle Isle Gardens; Snow Mill; Spring Gulley at or near Edgar C. Morris Filling Station; Folly Grove, Kensington at or near Kensington Lumber Company and Black River at or near Temus Howard's Store."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1217, H2596)

No. 973

An Act To Provide For Physical Examinations Of Certain Persons In Hampton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Persons serving on public works of Hampton County to have physical examinations.—In Hampton County before any person sentenced to serve on the public works of the county is delivered to the custody of the supervisor, he shall be examined by a licensed physician and a report of such examination furnished to the supervisor.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1224, H2466)

No. 974

An Act To Amend Section 14-1016, Code Of Laws Of South Carolina, 1952, Relating To The Office Hours Of County Employees In Beaufort County So As To Make Further Provision Therefor; And To Add Sections 14-1016.1 Through 14-1016.3 To The 1952 Code So As To Impose Additional Duties On The County Board Of Directors Relating To County Employees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-1016, 1952 Code, amended—office hours of Beaufort County offices and employees.—Section 14-1016, Code of Laws of South Carolina, 1952, is amended by striking in its entirety and inserting in lieu thereof the following :

"Section 14-1016. The office hours of all Beaufort County offices, and the working hours of all employees therein, shall be from 9:00 A. M. until 5:00 P.M. on Monday through Friday of each week and from 9:00 A. M. until 12:00 noon on Saturday of each week, and no office having more than one person employed therein shall close during the hours specified above. During the months of May, June, July and August each county office may be closed from 1:00 P. M. on one other such day during the week as may be designated by the county board of directors, except that the offices of sheriff, clerk of court, treasurer and auditor shall remain open on such day by having at least one official or employee on duty in each of such offices.

Provided, that working hours of employees in the offices of sheriff, clerk of court, treasurer and auditor shall be arranged so that each employee in such offices shall have one afternoon off each week, in addition to Saturday afternoon, during the months of May through August of each year."

SECTION 2. 1952 Code amended—Sections 14-1016.1, 14-1016.2 and 14-1016.3 added—county officers to keep records—sick leave and vacations—salaries in event of death.—The Code of Laws of South Carolina, 1952, is amended by adding thereto the following sections:

"Section 14-1016.1. The county board of directors shall require each county officer to keep such records of employment as it deems necessary in the discharge of its responsibilities in the administration of the government of Beaufort County.

"Section 14-1016.2. The county board of directors is hereby authorized to establish a program of sick leave and vacation leave for the employees of Beaufort County. In establishing such program, the board shall promulgate rules and regulations relating to eligibility for leave, length of leave, methods of filling positions on a temporary basis during leave of regular employees and such other rules and regulations as are deemed necessary for an effective leave program.

"Section 14-1016.3. In the event of the death of any county employee, the board of directors shall authorize the payment of such employee's regular compensation for an additional period of thirty days from the date of death. Such payment shall be made to the person designated as beneficiary thereof by such employee or, if none has been designated, to the estate of such employee."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1229, H2672)

No. 975

An Act To Provide That The Sheriff Of Darlington County Shall Have Exclusive Control Of The Employment, Housing And Privileges Of County Prisoners, And Of The Designation Of County Employees Who May Be Housed In The County Jail.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Darlington County Sheriff to have control of county prisoners.—The Sheriff of Darlington County shall have exclusive control of the employment and housing of county prisoners, the appointment of trustees from among the county prisoners, and the designation of county employees who may be housed in the county jail. *Provided*, however, that nothing contained in this act shall be construed as giving the Sheriff any control or authority over the county chain gang.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1231, H2614)

No. 976

An Act To Authorize The Board Of Public Works Of The City Of Gaffney In Cherokee County To Provide Water Or Sewer Services To Populous And Congested Areas Near Gaffney And Provide Rules, Regulations And Charges For Such Services; To Provide For Reimbursement To The Board For Lines And Equipment Which May Be Subsequently Taken Over By The Cherokee County Fire And Water District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Gaffney may furnish water or sewer service to populous areas.—The Board of Public Works of the City of Gaffney is hereby authorized to provide water or sewer service or both to populous and congested areas near the City of Gaffney where, in the judgment of the members of the board, such service can be provided without impairing the primary duty of the board to the City of Gaffney. The board of public works may promulgate rules, regula-

tions and establish charges for service that may be provided to any area.

SECTION 2. Disposition of equipment if area situated in Cherokee County Fire and Water District.—In the event the board furnishes such services in any area which is situated in the Cherokee County Fire and Water District and such district subsequently elects to serve such area, the lines and equipment situated therein shall be taken over by the district.

SECTION 3. Reimbursement for equipment.—The district shall reimburse the board for its costs of such lines and equipment less reasonable depreciation all of which shall be mutually agreed upon.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1239, H2630)

No. 977

An Act To Fix The Term Of Office Of Certain Members Of The Darlington County Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of members of Darlington County Commission.—Notwithstanding the provisions of Section 2 of Act No. 874 of the Acts of 1960, the terms of office of the members of the Darlington County Commission shall be as follows:

(1) The term of office of the commissioner resident in the Lamar School Attendance Area who receives the largest number of votes for that office in the Democratic Primary to be held in June, 1962, will be four years and the term of the office of the commissioner who receives the next largest number of votes will be two years and thereafter the term of office of both commissioners resident in the area shall be four years.

(2) The term of office of the commissioner resident in the Darlington School Attendance Area who receives the largest number of votes for that office in the Democratic Primary to be held in June, 1964, will be four years, and the term of office of the commissioner who receives the next largest number of votes will be two years,

and thereafter the term of office of both commissioners resident in the area shall be four years.

(3) The terms of all commissioners elected after the effective date of this act shall commence on January first, following their election. The term of each of the present commissioners is hereby extended from June thirtieth until December thirty-first of the year in which his term normally expires.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1242, H2658)

No. 978

An Act To Exempt Dogs From Taxation As Personal Property In Cherokee County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Tax exemptions for dogs in Cherokee County.—Notwithstanding any provision of law to the contrary no dog in Cherokee County shall be taxed as personal property.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1243, H2660)

No. 979

An Act To Provide For An Annual Audit Of The Books Of Darlington County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Darlington County to have annual audit.—There shall be employed annually about July a competent auditor to be appointed by a majority of the Darlington County Legislative Delegation, including the Senator, to audit the books of Darlington County. The work shall be done under the supervision of the county manager and the cost shall be determined by the county manager

and the Darlington County Commission and paid out of the county contingent fund upon the authorization and direction of the Darlington County Commission.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1245, H2673)

No. 980

An Act To Create A Research, Planning And Development Commission For Hampton County And To Provide For Its Membership, Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Hampton County Research, Planning and Development Commission created—members—terms—vacancies—officers.—There is hereby created the Hampton County Research, Planning and Development Commission, which shall be composed of fifteen members who shall be appointed by the Governor upon the recommendation of the Hampton County Legislative Delegation. The members of the commission shall serve for terms of four years or until their successors are appointed and qualify. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term. The commission shall organize on call of the county legislative delegation, and shall elect one member as chairman, one member as vice-chairman, and shall elect a secretary-treasurer, who may but need not be a member of the commission.

SECTION 2. Purpose.—The commission is created for the purpose of promoting the agricultural, industrial and commercial expansion and development in Hampton County.

SECTION 3. Compensation — minutes — records — expenditures.—The members of the commission shall serve without pay, but may provide for the reimbursement of the members for actual expenses incurred in connection with business for the commission. The commission shall keep minutes of its proceedings, and shall make records of all official actions, which minutes and actions shall be available for inspection by the county legislative delegation

at all times. The commission may expend funds appropriated or donated to it for printing, postage, services, or any other expenses which are reasonably necessary.

SECTION 4. Appropriations.—For carrying out the purposes of this act, there is hereby appropriated from the treasury of Hampton County the sum of five thousand dollars annually. The county treasurer is hereby directed and required to disburse the within appropriation upon the warrants of the Research, Planning and Development Commission, upon approval of the county legislative delegation. The commission may accept gifts and grants of money from either private or public sources to be used in the promotion of this program and all such monies shall be accounted for in the same manner as other funds appropriated by Hampton County.

SECTION 5. Cooperate with other agencies.—For the purpose of carrying out the provisions of this act, the commission is authorized to cooperate with the State Development Board, all towns, chambers of commerce, business leagues, civic clubs, and other similar organizations in Hampton County and all other agencies and organizations within and without the county which the commission may desire to cooperate with in the furtherance of the development and advertisement of Hampton County.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1246, H2693)

No. 981

An Act To Amend An Act Of 1962 Bearing Ratification Number 858 Relating To Voting Precincts In St. Andrew's Parish In Charleston County So As To Make Further Provisions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 768 of 1962 amended—exceptions.—Section 1 of an act of 1962 bearing Ratification Number 858 is amended by changing the period at the end to a comma and adding the following: "saving and excepting therefrom such areas as have been annexed to the City of Charleston since recording of the plat."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1247, H2696)

No. 982

An Act To Define Ward 13, Precinct Nos. 1 And 2 In The City Of Charleston.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Precincts 1 and 2 of Ward 13 in City of Charleston defined.—Notwithstanding the provisions of Act 172 of 1961, Ward 13, Precinct Nos. 1 and 2 in the City of Charleston shall be as follows :

Ward 13, Precinct No. 1 shall include all that area of Ward 13 lying east of a line which commences at the intersection of U. S. Highway 17 and Stocker Drive, running thence southeast down Stocker Drive to its intersection with Chadwick Drive, thence southwest down Chadwick Drive to its intersection with the Atlantic Coast Line Railroad, thence east down Atlantic Coast Line Railroad to its intersection with S. C. Route 171, thence south on S. C. Route 171 to its intersection with Wappoo Creek, with a poll at or near St. Andrews Elementary School; Ward 13, Precinct No. 2 shall include all that area of Ward 13 lying west of a line which commences at the intersection of U. S. Highway 17 and Stocker Drive, running thence southeast down Stocker Drive to its intersection with Chadwick Drive, thence southwest down Chadwick Drive to its intersection with the Atlantic Coast Line Railroad, thence east down the Atlantic Coast Line Railroad to its intersection with S. C. Route 171, thence south on S. C. Route 171 to its intersection with Wappoo Creek, also that area known as Westwood and annexed to the City of Charleston pursuant to a special election held on February 20, 1962, with a poll at or near St. Andrews Elementary School.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1251, H2720)

No. 983

An Act To Amend Act No. 683 Of The Acts Of 1960 Establishing The Civil And Criminal Court Of Darlington County, So As To Make Further Provision For The Civil Jurisdiction Of The Court And The Compensation Of Its Judge.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 7 of Act 683 of 1960 amended—civil jurisdiction of court.—Section 7 of Act No. 683 of the Acts of 1960 is amended by striking it out in its entirety and inserting in lieu thereof the following:

“Section 7. The court shall have concurrent jurisdiction with the court of common pleas in all civil cases and special proceedings both at law and in equity, including appeals, in which the amount claimed or the value of the property involved does not exceed three hundred thousand dollars. The judge of the court may act as special referee in such matters as the circuit court shall deem advisable to refer to him.”

SECTION 2. Section 16 of Act 683 of 1960 amended—oath—powers and duties—compensation—vacancies—special judge.—Section 16 of Act No. 683 of the Acts of 1960 is amended by striking the sentence beginning on line seven as follows:

“As compensation for his services the Judge shall receive ten thousand dollars to be paid in monthly installments and such expense allowance as may be provided in the annual county appropriation act.” and inserting in lieu thereof the following: “As compensation for his services the Judge shall receive an annual salary of thirteen thousand five hundred dollars.”, so that when amended the section shall read as follows:

“Section 16. The Judge, before entering upon the duties of his offices, shall take the same oath of office as required by law of all circuit judges and shall be commissioned in the same manner as circuit judges. He shall possess all the powers in respect to preserving order or punishing for contempt of court as now possessed by circuit judges. He shall not charge on the facts but shall declare the law only. As compensation for his services the Judge shall receive an annual salary of thirteen thousand five hundred dollars. All vacancies in the office of the Judge of the Court shall be filled by appointment for the unexpired term only by the Governor in the same manner as herein

provided for appointments for the full term. In case of absence or inability of the Judge at the time fixed for holding any term of Court, the Governor, upon the recommendation of a majority of the Darlington County Bar Association, may appoint some suitable and qualified member of the association to hold the term of court as special judge."

SECTION 3. Constable — appointment — compensation — duties.—There shall be a Constable who shall be appointed by the Judge of the Court, and who shall serve at the pleasure of the Court, and who shall receive the same compensation, allowances, automobile, and other expenses as provided for Deputy Sheriffs of Darlington County. The Constable shall be commissioned in the same manner as Deputy Sheriffs of Darlington County are commissioned and shall have the same duties and responsibilities and authority as provided by law for Deputy Sheriffs of Darlington County. The Constable so appointed shall perform all other services and duties as may be directed by the Court.

SECTION 4. Time effective.—This act shall take effect on July 1, 1962.

Approved the 16th day of April, 1962.

(R1254, H2730)

No. 984

An Act To Authorize The Investment Of Certain Funds Of Greenwood County Or Its Subdivisions In United States Treasury Obligations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Investment of funds by Greenwood County.—The County Treasurer of Greenwood County is authorized to invest funds of the county or any of its subdivisions, in his custody, and which are available for investment, in United States Treasury Obligations.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1255, H2731)

No. 985

An Act To Amend Section 42-448, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Tax Levy For The Greenwood City And County Public Library, So As To Provide That There Shall Be Levied Annually On The Taxable Property Of The County A Tax Of Two Mills.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 42-448, 1952 Code, amended—tax levy for library.—Section 42-448, Code of Laws of South Carolina, 1952, as amended, is further amended by striking it out and inserting in lieu thereof the following:

"Section 42-448. The county auditor shall levy annually on all the taxable property of the county a tax of two mills and the county treasurer shall collect such tax, the proceeds of which shall be used to defray the expenses of Greenwood City and County Public Library established by this article."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1256, H2732)

No. 986

An Act To Amend Section 43-792, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Jurisdiction Of Magistrates, So As To Further Provide For Magistrates In Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 43-792, 1952 Code, amended—magistrates designated for Greenwood County—jurisdiction.—Section 43-792 of the 1952 Code, as amended, is further amended by striking it out and inserting in lieu thereof the following:

"Section 43-792. There shall be the following magistrates for Greenwood County who shall have criminal and civil jurisdiction in their respective districts except as otherwise provided:

One magistrate for Greenwood Township, who shall have exclusive jurisdiction in Greenwood Township and concurrent jurisdiction throughout Greenwood County;

One magistrate for Walnut Grove Township;
One magistrate for both Hodges and Cokesbury Townships;
One magistrate for both Kinard and Brooks Townships;
One magistrate for Ninety Six Township; and
One magistrate for Callison, Kirksey and Phoenix Townships.

All other townships not mentioned above shall be under the jurisdiction of the magistrate of Greenwood Township under and by virtue of his countywide jurisdiction."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1260, H2741)

No. 987

An Act To Transfer From The Sheriff Of Beaufort County To The Treasurer Of Beaufort County The Powers And Duties Relating To The Collection Of Delinquent Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Treasurer of Beaufort County to collect delinquent taxes.—The powers and duties vested and imposed by law immediately prior to the effective date of this act upon the Sheriff of Beaufort County relating to the collection of delinquent taxes, the seizure and sale of property for the nonpayment of taxes, the making of deeds to such property, and other matters necessary or incidental to the collection of delinquent taxes, are hereby vested and imposed upon the Treasurer of Beaufort County, and the Sheriff of Beaufort County is hereby relieved of such duties except as otherwise provided in this act.

SECTION 2. Penalties and fees.—In the exercise of the powers and duties imposed upon him by this act, the Treasurer shall charge the same penalties and fees as heretofore provided by law, which penalties and fees shall accrue to the General Fund of Beaufort County, and he shall be subject to the laws heretofore governing the procedures to be followed by the Sheriff with respect to the collection of delinquent taxes and the seizure and sale of property for the nonpayment of such taxes.

SECTION 3. Assistance of sheriff or deputies.—The Treasurer may request the assistance of the Sheriff or Deputy Sheriffs of Beaufort County in the performance of the duties imposed by this act, and the Sheriff or Deputy Sheriffs shall render such assistance when so requested by the Treasurer.

SECTION 4. Deeds and bills of sale.—The Treasurer shall make appropriate deeds or bills of sale to the purchasers at tax sales for all property previously sold by the Sheriff for which deeds or bills of sale have not been executed and delivered by the Sheriff.

SECTION 5. Time effective.—This act shall take effect January 1, 1963.

Approved the 16th day of April, 1962.

(R1261, H1887)

No. 988

An Act To Amend Section 10-431, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Service Of Process Upon The Chief Highway Commissioner As Agent Of Nonresident Motor Vehicle Drivers, So As To Increase The Service Charge; To Amend Section 16, Article I Of Act No. 654 Of The Acts Of 1956, Relating To Service Of Summons On Nonresident Motor Carriers, So As To Permit A Fee To Be Charged For The Service Of Process On Such Carriers; And To Amend Sections 10-431.1 And 10-432, Code Of Laws Of South Carolina, 1952, Relating To The Type Of Mail Used In Notifying Certain Defendants, Among Other Things, So As To Change The Type Of Mail From Registered To Certified.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 10-431, 1952 Code, amended—service of process on nonresident automobile drivers.—Section 10-431, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 10-431. Service of process upon the Chief Highway Commissioner, as agent of (a) a nonresident driver under the provisions of Section 46-104; (b) a resident driver who subsequently becomes a nonresident; or (c) a nonresident motor carrier under the provisions of Act No. 654 of the Acts of 1956, shall be made by leaving

a copy thereof, with a fee of four dollars, in the hands of the Commissioner or his office and such service shall be sufficient service upon the nonresident if notice of the service and a copy of the process are forthwith sent by certified mail by the plaintiff or the Commissioner to the defendant and the defendant's return receipt and the plaintiff's affidavit of compliance herewith are appended to the summons or other process and filed with the summons, complaint and other papers in the cause. The Commissioner shall keep a record of all processes which shall show the day and hour of service upon him. When the certified return receipt shall be returned to the Commissioner, he shall deliver it to the plaintiff on request and keep a record showing the date of its receipt by him and its delivery to the plaintiff."

SECTION 2. Section 16 of Article I of Act 654 of 1956 amended—service of summons on nonresidents.—Section 16, Article I of Act No. 654 of the Acts of 1956 is amended by placing a period after the word "section" on line 25 and striking out the remainder. The Section when amended shall read as follows:

"Section 16. The acceptance by a nonresident motor carrier of the rights and privileges conferred by the laws now or hereafter in force in this State, permitting the operation of motor vehicles as evidenced by the operation of a motor vehicle by such nonresident either personally or through an agent or employee on the public highways in this State, or the operation of such nonresident either personally or through an agent, lessee, or employee, of a motor vehicle on the public highways of this State other than as so permitted or regulated, shall be deemed equivalent to the appointment by such nonresident motor carrier of the Chief Highway Commissioner, or his successor in office, to be his true and lawful attorney and the attorney of his executor or administrator, upon whom may be served all summonses or other lawful process or notice in any action, assessment proceeding, or other proceeding against him or his executor or administrator, arising out of or by reason of any provisions in this act relating to such vehicle or relating to the liability for tax with respect to operation of such vehicle on the highways of this State. Said acceptance or operation shall be a signification by such nonresident motor carrier of his agreement that any such process against or notice to him or his executor or administrator shall be of the same legal force and validity as if served on him personally or on his executor or administrator. All of the provisions of Section

10-431, 10-431.1, and 46-104, Code of Laws of South Carolina, 1952, shall be applicable with respect to the service of process or notice pursuant to this section."

SECTION 3. Section 10-431.1, 1952 Code, amended—procedure when defendant fails to receipt for notice sent by certified mail.—Amend Section 10-431.1, Code of Laws of South Carolina, 1952, to read as follows:

"Section 10-431.1. If the defendant in any such cause shall fail or refuse to accept and receipt for certified mail containing the notice of service and copy of the process and it shall be returned to the plaintiff or the motor vehicle division of the State Highway Department, the original envelope as returned shall be retained and the notice and copy of the summons shall be sent by open mail and the envelope and affidavit of mailing with sufficient postage of such open letter shall be filed with the clerk of court in which such action is pending and upon the filing thereof shall have the same force and legal effect as if such process had been personally served upon such defendant."

SECTION 4. Section 10-432, 1952 Code, amended—service on traveling shows.—Amend Section 10-432, Code of Laws of South Carolina, 1952, to read as follows:

"Section 10-432. Service of any process in any action or proceeding against any circus or other traveling show exhibiting under canvas or outdoors for gain may be made upon any clerk of court appointed agent or attorney of such show under the provisions of Section 5-18 and such service must be in duplicate. When so made it shall be deemed sufficient service upon any such circus or traveling show. When legal process against any such circus or show is served upon any such clerk of court he shall forthwith forward by certified mail one of the duplicate copies prepaid directed to the person and the address as furnished him in the power of attorney referred to in Section 5-18."

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1021, H2220)

No. 989

An Act To Authorize The Adjutant And Inspector General To Sell Obsolete Armories And Have The Funds Received Therefrom Placed In A Special Account.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Adjutant and Inspector General may sell armories.

—The Adjutant and Inspector General is hereby authorized to sell obsolete armories and retain such funds as realized therefrom in a special account with the State Treasurer. Funds from such special account shall be used for the construction of new armories, such construction to be under the supervision of the Adjutant and Inspector General of the State.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

PART II**Local and Temporary**

(R730, S147)

No. 990

A Joint Resolution Proposing An Amendment To Section 34 Of Article III Of The Constitution Of South Carolina, 1895, Relating To The Prohibition Of Special Laws, So As To Empower The General Assembly To Divide The State Into Forestry Districts And To Enact Legislation For The Protection Of Forestry In The Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article III, Section 34, State Constitution, proposed—State may be divided into forestry districts.—There is hereby proposed the following amendment to Section 34 of Article III of the Constitution of South Carolina, 1895: Add a new proviso at the end thereof to read as follows:

“Provided, further, that the General Assembly is empowered to divide the State into as many districts as may appear practicable, and to enact legislation as may appear proper for the protection of forestry in the several districts.”

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts throughout the State with the following words printed or written thereon: “Shall Section 34 of Article III of the Constitution of South Carolina, 1895, be amended so as to permit the General Assembly to divide the State into forestry districts and be empowered to enact legislation for the protection of forestry in the districts?”

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of the amendment,’ and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to the amendment.’”

(R1010, H1078)

No. 991

A Joint Resolution Proposing An Amendment To Paragraph (a) Of Section 4 Of Article II Of The Constitution Of This State, Relating To Residence Requirements For Suffrage, So As To Lower The Residence Requirements.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Section 4(a), Article II, State Constitution proposed—residential voting requirements.—It is hereby proposed that Paragraph (a) of Section 4 of Article II of the Constitution of this State shall be amended to read as follows:

“(a) Residence in the State for one year, in the county for six months, and in the polling precinct in which the elector offers to vote for three months; *provided*, that ministers in charge of an organized church and teachers of public schools and the spouse of any such person shall be entitled to vote after six months’ residence in the State, otherwise qualified.”

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: “Shall Paragraph (a) of Section 4 of Article II of the Constitution of this State be amended so as to reduce the residence requirements for suffrage to residence of one year in the State, six months in the county, and three months in the precinct in which the elector offers to vote?”

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of the amendment’ and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to the amendment.’”

(R1018, H2184)

No. 992**A Joint Resolution Proposing An Amendment To Section 2 Of Article XI Of The Constitution Of This State So As To Further Provide For A State Board Of Education.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article XI, Section 2, State Constitution, proposed—State Board of Education.—There is proposed the following amendment to Section 2 of Article XI of the Constitution of this State: strike the section in its entirety and insert in lieu thereof the following :

“Section 2. There shall be a State Board of Education composed of one member from each of the judicial circuits of the State. The members shall be elected by the legislative delegations of the several counties within each circuit for terms and with such powers and duties as may be provided by law, and shall be rotated among the several counties.”

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: “Shall Section 2 of Article XI of the Constitution of this State be amended so as to provide for the State Board of Education to be composed of one member from each of the judicial circuits elected by the legislative delegations of the several counties within the circuit?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of the amendment,’ and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to the amendment.’ ”

(R873, S518)

No. 993**An Act To Provide For The Distribution Of The Code Of Laws Of South Carolina, 1962, Owned By The State Of South Carolina.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Distribution of 1962 Code.—Copies of the Code of Laws of South Carolina, 1962, owned by the State of South Carolina, shall be distributed by the State Librarian as follows:

1. Twenty-five copies to the Law School of the University of South Carolina and ten copies to the Law School of the South Carolina State College.

2. Ten copies to the Legislative Council.

3. Five copies each to the Attorney General, Tax Commission and State Highway Department.

4. Three copies each to the Governor; State Library; Public Service Commission; each member of Committee on Statutory Laws; Code Commissioner; and to the Library of the Congress.

5. Two copies each to the Secretary of State; Comptroller General; Department of Education; Department of Agriculture; Insurance Commissioner; Supreme Court Library; The Citadel; The Clemson Agricultural College; University of South Carolina; Winthrop College; State Board of Health; Department of Labor; Wildlife Resources Commission; Employment Security Commission; State Development Board; South Carolina State College; and the Probation, Pardon and Parole Board.

6. One copy each to the Lieutenant Governor; State Treasurer; Adjutant and Inspector General; each Justice of the Supreme Court and each retired Justice; Clerk of Supreme Court; each Circuit Court Judge and each retired Circuit Court Judge; each Circuit Court Solicitor; each County Solicitor; each Domestic Relations Court Judge; each Civil and Criminal Court Judge; each Register of Mesne Conveyance where such office is separate; each County Clerk of Court; South Carolina School for the Deaf and the Blind; John de la Howe School; Medical College of South Carolina; Aeronautics Commission; Board of Bank Control; Children's Bureau; State Commission of Forestry; Historical Commission; State Department of Public Welfare; State Service Bureau; South Carolina Industrial School for Boys; South Carolina Industrial School for Girls; State Penitentiary; John G. Richards Industrial School for Negro Boys; State Hospital; State Training School; Clerk of Senate; Clerk of House of Repre-

sentatives; each State Library which furnishes this State free a set of the Code of Laws of its state; United States Supreme Court; each Senator and member of Congress of the United States from South Carolina; each Institution of Higher Learning in this State not herein provided for; each Committee Room of the General Assembly; Speaker of the House of Representatives' Office; Lieutenant Governor's Office; each County Auditor; each County Governing Board; each County Coroner; each County Master; each County Probate Judge; each County Sheriff; each County Superintendent of Education; each County Treasurer; each County Magistrate; Office of each County Administrative Assistant; each public library in this State; each member of the General Assembly who is a member thereof when the Code of 1962 is adopted; each member of the Committee on Statutory Laws who assisted in the preparation of the Report on Codification of General Statute Laws of South Carolina, 1961, who are not now members of the General Assembly; State Educational Finance Commission; State Ports Authority; Industrial School for Negro Girls; and the American Law Library, London, England.

SECTION 2. Use of undistributed copies.—All copies of the Code not distributed as herein provided shall be retained by the State Librarian for the use of the State.

SECTION 3. Officials receive copies personally.—The provisions of Sections 1-60 and 1-61 of the 1952 Code, providing for the disposition of Codes of Laws distributed to officials, shall not apply to Codes of Law distributed hereunder to the Code Commissioner, Members of Committee on Statutory Laws and Members of the General Assembly, and such distributed Codes shall be theirs personally.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

An Act To Provide Supplemental Appropriations To Cover The Expenses Of The 1962 Session Of The General Assembly And Related Activities.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following sums of money, if so much be necessary, are hereby appropriated out of the State Treasury to supplement the amounts heretofore appropriated to cover the expenses of the 1962 Session of the General Assembly and related activities.

SECTION 2. Item 1. The Senate	
Mileage	\$ 3,500.00
Approved Accounts	50,000.00
Item 2. The House of Representatives	
Mileage	\$ 8,500.00
Approved Accounts	50,000.00
Item 3. Codification of Laws and Legislative Council	
Approved Accounts	\$ 20,000.00
TOTAL	
\$132,000.00	

SECTION 3. All acts or parts of acts inconsistent with the provisions of this act are repealed.

SECTION 4. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R894, H2284)

No. 995

An Act To Appropriate Not Exceeding Two Hundred Fifty-Five Thousand Dollars Out Of Certain Funds Made Available Under The Employment Security Administrative Financing Act Of 1954, For The Purpose Of Acquisition Of Land And The Construction Of An Office Building Thereon For The Use Of The South Carolina Employment Security Commission And For Repairs And Alterations To A Building Heretofore Constructed.

Whereas, the Congress of the United States by the passage of the Employment Security Administrative Financing Act of 1954, being Chapter 657, Public Law 567, 83rd Congress, 2nd session, has made available to the several states certain funds derived from collections under the Federal Unemployment Tax Act, which may be used by the states, among other things, for the acquisition, construction, and

repairs and alterations of state buildings to be used solely for the use of the respective state employment security departments; and

Whereas, it is the considered judgment of the General Assembly that the most economical and advantageous use which can be made of the funds provided for in such act, and made available to the State of South Carolina, is to continue the established plan whereby the Employment Security Commission of this State can, over a period of years, be provided with permanent locations of an adequate nature to house the various offices of the Commission throughout the State; and

Whereas, the funds now available to the State of South Carolina, or which may be available within the next fiscal year, are not adequate to provide proper housing for all of the locations where the Employment Security Commission of this State has its offices, it is further the considered judgment of the General Assembly that the most pressing need is for such an office within the corporate limits of the City of Charleston and for repairs and alterations to the existing office building at Columbia. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Appropriation for Employment Security Commission—purpose.—There is hereby appropriated to the South Carolina Employment Security Commission a sum not to exceed two hundred fifty-five thousand dollars out of the funds made available to this State under the Employment Security Administrative Financing Act of 1954, Chapter 657, Public Law 567, 83rd Congress, 2nd session, which shall be expended solely as provided in Section 2 hereof for the acquisition of land and construction thereon of a modern office building designed for the South Carolina Employment Security Commission operations, and to finance the designing and construction of such building, including such equipment, facilities, paving, landscaping and other improvements as may be required for the proper use and operation of such building project after its completion, or such funds may be expended as appropriate for the making of necessary repairs and alterations to an existing state building. No part of the money hereby appropriated may be obligated after the expiration of the two year period beginning with the date of enactment of this act. The amount obligated pursuant to this act during any twelve month period beginning on July first and ending on the next June thirtieth shall not exceed the amount by which (a) the aggregate of

the amounts credited to the account of this State pursuant to Section 903 of the Social Security Act during each twelve month period and the four preceding twelve month periods exceeds (b) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this State during such five twelve month periods.

SECTION 2. Division of funds.—The sum appropriated in Section 1 shall be divided in the following manner and for the following purposes: two hundred fifty thousand dollars, or so much thereof as may be necessary, shall be used to acquire land and construct a building in the City of Charleston and five thousand dollars, or so much thereof as may be necessary, shall be used for repairs and alterations to the existing office building at Columbia.

SECTION 3. Deposit and use of funds.—Money appropriated as provided herein under the provisions of Section 1 of this act shall be requisitioned as needed by the Commission for the payment of obligations incurred under such appropriation and, upon requisition, shall be deposited in the State's Employment Security Administration Fund, from which such payments shall be made. The Commission shall maintain a separate record of the deposit, obligation, and expenditure of funds so deposited. Money so deposited shall, until expended, remain a part of the Unemployment Fund and, if it will not be expended, shall be returned promptly to the account of this State in the Unemployment Trust Fund.

SECTION 4. Powers and duties.—The Commission may employ such necessary appraisers, architects, engineers and contractors, and may execute all contracts necessary to effectuate the declared purposes of this act, including the acquisition of the necessary real estate for offices, which real property shall be acquired in the name of the South Carolina Employment Security Commission and used exclusively thereafter for providing facilities for the Commission.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R1060, H2495)

No. 996

A Joint Resolution To Provide That The One Hundred Thousand Dollars Appropriated To The Highway Department For Beach Erosion Control Contained In Section 67 Of An Act Of 1962 Bearing Ratification No. 841, The State General Appropriation Act, Be Made Available Immediately Following The Approval By The Governor Of Such Act.

Whereas, recent storms have created dangerous erosion problems in the coastal areas of this State; and

Whereas, these problems together with those existing prior to such storms now demand immediate attention. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Appropriation—beach erosion—repayment.—The one hundred thousand dollars appropriated to the Highway Department for beach erosion control contained in Section 67 of an act of 1962 bearing Ratification No. 841, the State General Appropriation Act, shall be made available immediately following the approval by the Governor of such act. *Provided*, that the amount made available shall be charged to the State Reserve Fund and shall be repaid to the said Fund immediately after the beginning of the fiscal year on July 1, 1962.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R919, H2406)

No. 997

A Joint Resolution To Continue The Committee Created By Act No. 896 Of The Acts Of 1960 To Cooperate With The Water Pollution Control Authority Of South Carolina In Establishing A Water Policy For The State And To Provide For Its Compensation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Committee to establish a water policy for the State—continued.—The committee created by Act No. 896 of the Acts

of 1960 and continued by Act No. 444 of 1961 shall be continued for the purpose of cooperating with the Water Pollution Control Authority of South Carolina in establishing a water policy for the State and encouraging the proper development, wise use, conservation and protection of surface water. The committee shall report its recommendations at the session of the General Assembly to be held in 1963. The members of the committee shall receive the usual per diem and mileage, to be paid from the approved accounts of both houses. Such per diem and mileage shall not exceed one thousand dollars.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R1044, H2402)

No. 998

A Joint Resolution To Continue The Work Of The Joint Committee Appointed Pursuant To Act No. 373 Of 1955 And Continued By Act No. 931 Of 1956, Act No. 452 Of 1957, Act No. 986 Of 1958, Act No. 328 Of 1959, Act No. 895 Of 1960, And Act No. 445 Of 1961, To Study The Forestry Problems Of The State.

Whereas, a joint committee was appointed pursuant to Act No. 373 of 1955 to study the forest fire problems of the State; and

Whereas, the committee was continued by Act No. 931 of 1956, Act No. 452 of 1957, Act No. 986 of 1958, Act No. 328 of 1959, Act No. 895 of 1960, and Act No. 445 of 1961; and

Whereas, the committee has not completed its work due to the many complex and innumerable problems involved; and

Whereas, the forestry industry and woods products have an annual value of many millions of dollars and are second only to the textile industry in economic importance to South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee to study forestry problems continued.

—The committee appointed pursuant to Act No. 373 of 1955 and continued by Act No. 931 of 1956, Act No. 542 of 1957, Act No. 986 of 1958, Act No. 328 of 1959, Act No. 895 of 1960, and Act No. 445 of 1961, to study the forestry problems of this State shall

be continued and the committee shall report its findings at the session of the General Assembly of 1963. Members of the committee shall receive per diem and mileage as provided by law for members of State boards, commission and committees.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R717, H1119)

No. 999

A Joint Resolution To Provide For A Committee To Study The Proposed Uniform Commercial Code That Was Recommended To The States By The National Conference Of Commissioners On Uniform State Laws; To Provide For A Report To Be Made To The General Assembly; And To Provide Funds Therefor.

Whereas, the Uniform Commercial Code has been suggested to the states by the American Law Institute and the National Conference of Commissioners on Uniform State Laws; and

Whereas, the Commercial Code as suggested for adoption represents a major and coordinated assault on the problems of commercial law on a broad perspective. It takes a broad view of the history of commercial law which was considered as far back as the commercial law in use in the ancient days of Rome. Geographically the problems of all states and the international commerce of the United States were considered. Substantially all areas of commercial law are covered or touched upon, and more specifically the Code consists of the old Uniform Negotiable Instruments Law, the Uniform Sales Act, the Uniform Warehouse Receipts Act, a Uniform Bills of Lading Act, a Uniform Stock Transfer Act and many more of the old uniform acts; and

Whereas, lawyers, bankers, and business men from all over the United States were called into conference when consideration was given to the Uniform Commercial Code, and it is estimated that in drafting this act more hours of work were expended than have ever been devoted to the preparation of any proposed statute anywhere in the world; and

Whereas, the General Assembly believes that it is worthy of serious study and consideration, and that the entire matter is too complicated and far-reaching to be presented to the General Assembly without much preliminary study having been devoted thereto; and

Whereas, the General Assembly has been informed that the Judicial Council of South Carolina has already appointed a committee of three which is studying the Uniform Commercial Code with a view to ascertaining its suitability for adoption; and

Whereas, it is believed that the matter may be expedited greatly by providing for a committee composed of legislators from both houses of the General Assembly as well as those of the Judicial Council as appointed by the chairman. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee created to study Uniform Commercial Code.—A committee consisting of nine members shall be appointed to study the proposed Uniform Commercial Code as follows: three shall be appointed from the Senate by the President of that body, three shall be appointed from the House of Representatives by the Speaker of that body, and the three members of the Judicial Council as appointed by the chairman of the Council. The committee shall make a thorough study of the proposed Commercial Code, including its background and history, and shall determine its fitness and usefulness to the State of South Carolina. The committee shall make a full report to the General Assembly not later than ten days after the convening of the session of 1963, which report shall include such recommendations as the committee may deem proper with a draft, if any, of proposed legislation.

SECTION 2. Chairman—meetings.—The committee shall meet as soon as practicable after appointment and shall organize itself by electing one of its members as chairman. Thereafter the committee shall meet on the call of the chairman or a majority of its members.

SECTION 3. Appropriation—employ personnel.—There is hereby appropriated from the General Fund of the State the sum of one thousand dollars, or so much thereof as may be necessary, to defray the costs of the study provided for by this act. The members of the committee shall be authorized such per diem and mileage as authorized by law for members of boards, commissions and committees. The committee is authorized to employ such secretarial or other as-

sistance as may be necessary, all of which shall be paid from the sum herein appropriated by vouchers signed by the chairman of the committee.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R1116, S645)

No. 1000

A Joint Resolution To Provide For The Appointment Of A Committee To Study The Feasibility Of Establishing A Facility For Juvenile Delinquents In Aiken County.

Whereas, many of the leading citizens of Aiken County have become genuinely concerned over the constant increase of juvenile delinquents through the United States; and

Whereas, these citizens have prevailed upon the entire legislative delegation from the county to take the necessary steps to prevent this sort of thing from endangering the welfare of the youth of Aiken County; and

Whereas, the entire Legislative Delegation from Aiken County believes that a study made by a group of interested citizens of the county will be extremely helpful to them in preparing suitable corrective legislation for the consideration of the General Assembly. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee created to study problem of juvenile delinquents.—A committee is hereby created which shall consist of five citizens of Aiken County who shall be appointed by the Governor upon the recommendation of a majority of the legislative delegation from the county, including the Senator. The committee will meet as soon as practicable after appointment and will organize itself by electing one of its members as chairman. Thereafter, the committee shall meet on the call of the chairman or of a majority of its members.

Any county officers may be appointed by the legislative delegation from the county, including the Senator, as members, ex officio, of the committee who in the judgment of the county legislators will contribute to the work of the committee.

SECTION 2. Duties of committee.—The committee will conduct an exhaustive study to determine the extent to which juvenile delinquents exist in Aiken County and what influences are contributing to the delinquency of the youth of the county. The committee shall compare conditions in Aiken County with those of other localities throughout the State, and if necessary, the nation. Particular attention should be given to the need for providing separate facilities for juvenile delinquents from those of hardened criminals.

SECTION 3. Recommendations.—The committee shall conclude its study as soon as practicable and make suitable recommendations to the entire legislative delegation as it may consider constructive and contributory to the purpose for which the committee was appointed. Any expenditures made by the committee will be contingent upon funds provided for the use of the committee.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R773, S125)

No. 1001

An Act To Amend Act No. 860 Of The Acts Of 1948, Which Binds The State Of South Carolina To The Compact Entered Into By The Southern States For Jointly Owning And Operating Regional Educational Institutions, So As To Change The Length Of The Terms Of The Members Appointed By The Governor From Five To Four Years In Order To Conform To Similar Actions By The Legislatures Of The Other Southern States.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 860 of 1948 amended—terms of members reduced.—Act No. 860 of the Acts of 1948, which made binding upon the State of South Carolina a compact entered into by the Southern States for jointly owning and operating regional educa-

tion institutions, is amended by striking in its entirety that portion which reads: "The Governor shall continue as a member of the Board during his tenure of office as Governor of the State but the members of the Board appointed by the Governor shall hold office for a period of five (5) years except that in the original appointment one Board member so appointed by the Governor shall be designated at the time of his appointment to serve an initial term of three (3) years, but thereafter his successor shall serve the full term of five (5) years.", and inserting in lieu thereof the following: "The Governor shall continue as a member of the Board during his tenure of office as Governor of the State, but the members of the Board appointed by the Governor shall hold office for a period of four (4) years except that upon the expiration of terms of three of the members on June 30, 1961, one successor so appointed by the Governor shall be designated at the time of his appointment to serve a term of one (1) year, one successor to serve a term of three (3) years, and the other successor to serve the full term of four (4) years, but thereafter the successor of each appointed Board member shall serve the full term of four (4) years."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R1017, H2183)

No. 1002

An Act To Authorize The State Board Of Corrections To Survey The Need And Practicability Of The Establishment Of A Unit Of The South Carolina Penitentiary In The Truck Growing Region Of The State, And To Authorize The State Budget And Control Board To Provide For The Financing Of Such A Unit If Such Need Is Found To Exist; And To Authorize A Loan Of \$200,000.00 From the State's Sinking Funds To Provide Additional Equipment And Working Capital For The Industries At The Penitentiary.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. State Board of Corrections may study need for a branch unit of State Penitentiary.—The State Board of Corrections is hereby authorized to conduct a study of the need and practicability of the establishment of a branch or unit of the State Penitentiary in the Southern portion of the State of South Carolina, in a region suited to the production of truck or vegetables. The study should include, but not be limited to, the following:

- (a) The type of facility to be constructed, that is, whether or not it should be one of minimum or greater security, and the type or classification of prisoners to occupy the facility.
- (b) The estimated number of prisoners that can be employed at such a facility.
- (c) The number of acres necessary to produce a sufficient quantity of truck or vegetables to meet the needs of the State's institutions.
- (d) The feasibility and need for the operation of a cannery for preserving such produce for use of the State's institutions.
- (e) A detailed estimate of cost of the structural units, and of the equipment necessary to such a facility, together with an estimate of the cost of necessary land.
- (f) An estimate of the annual cost of operation of such a facility.

SECTION 2. Recommendations.—Upon conclusion of the study herein authorized, the Board of Corrections shall submit its report to the State Budget and Control Board. If the Board of Corrections shall conclude from its study of the report that there is a definite need for such a facility and that its construction and operation is practicable, and if the State Budget and Control Board concurs in the recommendation of the Board of Corrections, the State Budget and Control Board is authorized to provide funds for the establishment and construction of same, either by loan from the State's Sinking Funds, or by arranging for the issuance of notes or bonds on terms worked out and agreed upon by the two Boards; *provided*, however, that no such obligation shall exceed the sum of \$1,500,000.00.

SECTION 3. Board of Corrections may borrow money—payment.—In order to meet certain maturing obligations for machinery purchased, and to provide additional needed working capital for the industries operated at the Penitentiary, the Board of Corrections is authorized to borrow from the State's Sinking Funds, upon approval of the State Budget and Control Board, the sum of \$200,-

000.00, the sum to be repaid in not exceeding two years, and to pledge for the repayment of same the net revenues of the said industries. The Board is further authorized to use any available revenue received from the sale of gravel for the same purpose.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R702, H1923)

No. 1003

An Act To Authorize The Secretary Of State To Restore The Charter Of United Craftsmen, Inc.

Whereas, the General Assembly by concurrent resolution, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the United Craftsmen, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of United Craftsmen, Inc. may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the United Craftsmen, Inc. upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R887, H2147)

No. 1004**An Act To Authorize The Secretary Of State To Restore The Charter To The Green Harvester Company.**

Whereas, the General Assembly on January 23, 1962, by Concurrent Resolution No. H-2056, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Green Harvester Company. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of Green Harvester Company may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the Green Harvester Company, which was cancelled in 1960, upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstating of the cancelled charter, and the clerk of court shall note the same upon the record of the original charter, and thereupon the charter shall be reinstated and all acts of the corporation during its period of cancellation shall be as effective as if the charter had never been cancelled.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R983, H2528)

No. 1005**An Act To Authorize The Secretary Of State To Restore The Charter Of Aiken Memorial Park, Inc.**

Whereas, the General Assembly by concurrent resolution, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Aiken Memorial Park, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of Aiken Memorial Park, Inc. to be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the Aiken Memorial Park, Inc. upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R1078, H2543)

No. 1006

An Act To Authorize The Secretary Of State To Restore The Charter To Britton's.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Britton's. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Britton's to be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Britton's, which was cancelled in 1960, upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstating of the cancelled charter, and the clerk of court shall note the same upon the record of the original charter, and thereupon the charter shall be reinstated and all acts of the corporation during its period of cancellation shall be as effective as if the charter had never been cancelled.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R899, H2368)

No. 1007

An Act To Increase The Authorization For Expenditures For The South Carolina State Hospital Pursuant To Act No. 455 Of 1961 From Five Million Dollars To Six Million Dollars, To Permit The Retirement Before Maturity Of One Million Dollars Of Notes Issued Pursuant To Act No. 455 With Funds In The Sinking Fund Established To Secure All Notes Issued For The South Carolina State Hospital Pursuant To Act No. 455 And To Permit The Issuance Of Notes For The South Carolina State Hospital Pursuant To Act No. 455 To The Extent Of Five Million Dollars In Addition To The One Million Dollars Heretofore Issued Pursuant To Act No. 455.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that heretofore by Act No. 455 of the Acts of the General Assembly for the year 1961, it made provision for additional facilities at the South Carolina State Hospital and at Whitten Village. In the instance of the South Carolina State Hospital, it authorized the construction and equipping of a kitchen at the State Park Division of the State Hospital, the construction and equipping of a laundry building for the use of the institution, and the construction and equipping of such further facilities as might be recommended by the Mental Health Commission and approved by the State Budget and Control Board. It was then estimated that the costs of the projects to be undertaken pursuant to such authorization would be five million dollars. To provide funds therefor it was provided by Act No. 455 that if the approval of the State Budget and Control Board shall be obtained, the Governor and the State Treasurer should be empowered to issue notes of the State of South Carolina to the extent of not exceeding five million dollars. For the payment of the notes there was pledged (in addition to a pledge made to secure the notes authorized for the State Hospital and the notes authorized for Whitten Village, so much of the revenues as may be derived from the tax or taxes now or hereafter levied by the State of South Carolina upon inheritance, gifts, and the estates of deceased persons) all revenues derived by the South Carolina State Hospital from paying patients. To further secure all notes to be issued on behalf of the South Carolina State Hospital, it was provided that certain moneys already deposited (pursuant to previous legislative enactments) with the State Treasurer

in anticipation of the issuance of the notes, should constitute a special sinking fund for the benefit of all of the five million dollars of notes to be issued pursuant to Act No. 455 for the South Carolina State Hospital.

Thereafter, pursuant to Act No. 455, there were issued on behalf of the South Carolina State Hospital one million dollars of notes, payable in twenty successive annual installments of fifty thousand dollars, on January first in each of the years 1962 to 1981, inclusive. The notes were purchased and are now held by the State Budget and Control Board, in its capacity as trustee of the funds of the South Carolina Retirement System. Such notes are not subject to redemption until June 1, 1966.

It has now been ascertained that the special sinking fund derived from payments made from paying patients has reached a level which would permit the retirement of the one million dollars of notes issued as of June 1, 1961. It has further been ascertained that the costs of the program authorized for the South Carolina State Hospital by Act No. 455 of 1961 might require a total expenditure of six million dollars instead of five million dollars. The General Assembly has therefore determined to permit (1) the prior payment of the one million dollars of notes issued as of June 1, 1961, at par, plus accrued interest to the date of payment by the use of moneys now held in the Sinking Fund; (2) the issuance of further notes pursuant to Act No. 455 to the extent of five million dollars (in addition to the one million dollars already issued and to be retired); and (3) the State Budget and Control Board, in its capacity as trustee of the funds of the Retirement System, to surrender the one million dollars of notes, upon payment therefor, at par, plus accrued interest to the date of payment.

SECTION 2. Construction of additional facilities authorized.—

The General Assembly reaffirms its authorization for the construction and equipping of a kitchen at the State Park Division of the South Carolina State Hospital, the construction and equipping of a laundry building for the use of the institution, and the construction and equipping of such further facilities as shall be recommended by the Mental Health Commission and approved by the State Budget and Control Board. It approves expenditures therefor to the extent of six million dollars.

SECTION 3. Retirement of notes.—The State Treasurer is hereby authorized and empowered to pay and retire one million dollars of

notes issued on behalf of the South Carolina State Hospital, dated June 1, 1961, and is empowered to use funds in the sinking fund established pursuant to paragraph 4 of Section 2 of Act No. 455 of 1961 for such purpose.

SECTION 4. Retirement of notes—further.—The State Budget and Control Board, in its capacity as trustee of the funds of the South Carolina Retirement System, is hereby authorized and empowered to surrender the aforesaid notes for payment and cancellation upon receipt of the principal amount thereof plus accrued interest to the date on which payment thereof shall be effected.

SECTION 5. Issuance of notes.—The Governor and the State Treasurer are hereby authorized and empowered to issue under the terms and conditions of Act No. 455, and for the purposes set forth in Act No. 455, as modified by the provisions of this act, notes on behalf of the South Carolina State Hospital to the extent of five million dollars in addition to the one million dollars of notes heretofore issued pursuant to Act No. 455.

SECTION 6. Terms.—All other terms and provisions of Act No. 455 of 1961 shall continue in full force and effect, and the sinking fund established pursuant to paragraph 4 of Section 2 of the act shall continue, except that it shall (following the use of funds therein to pay the one million dollars of notes above referred to) henceforth secure only the five million dollars of notes herein authorized to be issued for the South Carolina State Hospital.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

An Act To Authorize The Board Of Trustees Of Winthrop College To Acquire Additional Student Housing Facilities; To Empower The Board Of Trustees To Effect Loans For Such Purposes Through The Issuance Of Revenue Bonds And Also For

The Purpose Of Refunding Outstanding Bonds Payable From Revenues Derived From Student Housing Facilities, Through The Means Of The Authorizations Of This Act; To Define The Procedure By Which Such Loans May Be Effected And The Covenants And Undertakings To Secure The Loans; To Make Provision For The Payment Of Loans; And To Declare Valid Certain Bonds Heretofore Issued For Any Of Such Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that heretofore, pursuant to Act No. 902 of the Acts and Joint Resolutions of the General Assembly for the year 1952, the Board of Trustees of Winthrop College, hereinafter called “the trustees”, effected the issuance of one million four hundred seventy-five thousand dollars Student Housing Revenue Bonds, Series of 1961, of Winthrop College, which are secured by a pledge of the entire revenues which Winthrop College shall from time to time derive directly or indirectly from the use, operation, or rental of all student housing facilities which it may now or hereafter possess, with certain exceptions prescribed in the resolutions authorizing the issuance of such bonds. In such proceedings the Trustees reserved the right to issue additional bonds to such amount as the Trustees shall from time to time thereafter deem necessary, including bonds issued under subsequently enacted legislative authorization.

The enrollment at Winthrop College is expanding steadily, making it apparent that there is a definite need for further facilities to house the expanding enrollment. Due consideration and investigation have been given to this need and to the method by which the Trustees might be enabled to construct such additional facilities.

It has also been determined that it might become advantageous for Winthrop College to refund all or some portion of the bonds now outstanding and that no statutory authorization now exists whereby such refunding may be accomplished. It has, therefore, been determined to authorize, under the conditions herein, additional bonds of Winthrop College, payable from the revenues herein set forth, for the purposes and to the extent herein provided. As an incident to such plan it has been determined to declare legal, valid and binding the issue of bonds described in paragraph 1 of this section.

SECTION 2. Bond issues of Winthrop College valid and binding.—The General Assembly declares that each and every bond of

the issue described in Section 1 of this act is a legal, valid and binding obligation of Winthrop College, which is payable, both principal and interest, according to the tenor, and upon the terms and conditions set forth on the face of each of such bonds.

SECTION 3. Additional student housing facilities—bonds may be refunded.—The Trustees are hereby authorized and empowered to acquire additional student housing facilities, to the extent they shall approve and can acquire with the proceeds of the bonds authorized by this act. The Trustees are also authorized and empowered to effect the refunding of all or any part of the bonds now or hereafter outstanding, which are a part of the issue described in Section 1 of this act.

SECTION 4. Borrow—use of proceeds.—To the end that the Trustees may acquire such additional student housing facilities, the Trustees shall be permitted to borrow, in addition to the loan evidenced by the bonds described in Section 1, from time to time, not exceeding in the aggregate, two million dollars, as well as such further sum as the Trustees may determine to borrow for the purpose of refunding all or any part of the outstanding revenue bonds of Winthrop College. So much of the proceeds of the loans herein authorized as shall not be required to retire outstanding bonds shall be used in the construction, reconstruction, and equipping of dormitories and buildings designed for student housing, and auxiliary, and related facilities, to be located on lands owned by Winthrop College. Such buildings, when constructed, shall be used for the purpose of providing housing, and auxiliary and related facilities, for students of Winthrop College.

SECTION 5. Payment.—All bonds issued pursuant to this act shall be payable from the entire revenues derived by Winthrop College from all student housing facilities which it may now or hereafter possess or utilize, including, if the Trustees so elect, any net revenues derived from related facilities. The Trustees shall be empowered to so define the entire revenues as to eliminate therefrom (a) revenues derived from casual users, during the periods when the dormitories are not in regular use, and (b) revenues derived during summer school sessions, and which are used, pursuant to legislative directive, for the operation and maintenance of such summer school sessions, but this exception (b) shall not apply if, during the life of the bonds, it shall become the general custom of as much as forty per cent of

the student body to attend summer school sessions, either in lieu of some other session or as a part of a plan of accelerated college education. *Provided*, that bonds issued pursuant to this act shall not be issued unless they be issued as bonds on a parity with the bonds of Winthrop College now outstanding and which are payable from the revenues referred to in this section, unless it shall happen that all of the outstanding bonds shall be retired pursuant to the authorizations set forth in Section 4.

SECTION 6. Credit of State not to be pledged—trustees not liable.—The faith and credit of the State of South Carolina shall not be pledged for the payment of the principal and interest of such bonds, and there shall be on the face of each bond a statement plainly worded to that effect. Neither the Trustees nor any other person signing the bonds shall be personally liable therefor.

SECTION 7. Trustees to adopt resolutions concerning bonds—maturity—interest—denominations—redemption.—In order to avail themselves of the authorizations set forth in this act, the Trustees of Winthrop College shall adopt resolutions providing for the issuance of bonds of Winthrop College, within the limitations herein mentioned, which resolutions shall prescribe the tenor, terms and conditions of such bonds. Such bonds shall be issued as serial bonds, maturing in equal or unequal amounts, at such times and on such occasions as the Trustees shall determine. *Provided*, always, that the last maturing bonds of any issue shall be expressed to mature not later than fifty years from their date, and the first maturing bonds of any issue, issued pursuant to this act, shall fall due within five years from their date. They shall bear such rates of interest, payable on such occasions, as the Trustees shall prescribe, and the bonds shall be in such denominations, shall be payable in such medium of payment, and at such place as such resolution shall prescribe. All bonds maturing subsequent to fifteen years from their date shall first become subject to redemption not later than fifteen years from their date, and thereafter, on all subsequent interest payment dates prior to their respective maturities. All bonds may be issued with a provision permitting their redemption on any interest payment date prior to their respective maturities. Bonds made subject to redemption prior to their stated maturities may contain a provision requiring the payment of a premium for the privilege of exercising the right of redemption, in such amount or amounts as the Trustees shall prescribe in the resolutions authorizing their

issuance. All bonds that are subject to redemption shall contain a statement to that effect on the face of each bond. The resolutions authorizing their issuance shall contain provisions, specifying the manner of call and the notice of call that must be given.

SECTION 8. Form.—Such bonds may be in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Winthrop College, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Trustees may prescribe, or such bonds may be issued as fully registered bonds. If issued as fully registered bonds, it may be provided that they may thereafter be converted into negotiable coupon bonds of the tenor described above.

SECTION 9. Exempt from taxes.—The bonds authorized by this act and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 10. Certain persons may purchase bonds.—It shall be lawful for all executors, administrators, guardians and fiduciaries, all sinking fund commissions, and the State Budget and Control Board, as Trustee of the South Carolina Retirement System, to invest any moneys in their hands in such bonds.

SECTION 11 Execution.—Such bonds and the coupons, if any, attached to such bonds, shall be executed in the name of Winthrop College in such manner and by such persons as the Trustees shall from time to time determine, and the seal of Winthrop College shall be affixed to or impressed on each bond. Any coupon attached to such bonds shall be authenticated by the facsimile signature of one or more of the persons signing the bonds. The delivery of the bonds so executed shall be valid notwithstanding changes in officers or seal occurring after such execution.

SECTION 12. Sale.—The bonds shall be disposed of in such manner as the Trustees shall determine, except that no sale, privately negotiated without public advertisement, shall be made unless the approval of the State Budget and Control Board shall be obtained. If the Trustees shall elect to sell the bonds at public sale, at least one advertisement thereof shall appear in some newspaper of general circulation in South Carolina not less than ten days prior to the occasion fixed for the opening of bids.

SECTION 13. Powers and duties of trustees.—To the end that the payment of the principal and interest of the bonds authorized hereby shall be adequately secured, the Trustees of Winthrop College shall be empowered in their discretion :

1. To issue bonds in such amount, within the limitations herein provided for, as the Trustees shall deem necessary, provided that it shall be lawful for the Trustees to use a portion of the principal proceeds derived from any sale of bonds, except bonds issued to effect refunding of outstanding bonds, to meet the payment of interest on such bonds for a period of one year, it being recognized by the General Assembly that until the facilities, to be constructed with the proceeds of the loan, shall be completed, an undue burden may be imposed upon then existing revenues.

2. To pledge the entire revenues, as described in Section 5 of this act, for the payment of the principal of and interest on the bonds as they respectively mature.

3. To covenant that no student housing facilities owned by Winthrop College will be used free of charge.

4. To covenant to establish and maintain such system of rules as will insure the continuous use and occupancy of the facilities, whose revenues are pledged to secure any bonds.

5. To covenant that an adequate schedule of charges will be established and maintained for all the facilities, whose revenues shall be pledged to secure any bonds, to the extent necessary to produce sufficient revenues to :

(a) Pay the cost of operating and maintaining the facilities, whose revenues shall be pledged for the payment of the bonds, including the cost of fire, extended coverage and use and occupancy insurance ;

(b) Pay the principal and interest of the bonds as they respectively become due ;

(c) Create and at all times maintain an adequate Debt Service Reserve Fund to meet the payment of such principal and interest ; and

(d) Create and at all times maintain an adequate reserve for contingencies, and for major repairs and replacement.

6. To covenant against the mortgaging or disposing of the facilities, whose revenues shall be pledged for the payment of such bonds, and against permitting or suffering any lien to be created thereon, equal or superior to the lien created for the benefit of such bonds. *Provided*, always, that the Trustees shall be empowered to discontinue the use of, or demolish, obsolete facilities and to reserve the right, under such terms as they shall prescribe, to issue additional bonds

on a parity with the bonds authorized by this act, if at some later date they shall obtain legislative authorization for the issuance of such further bonds.

7. To covenant as to the use of the proceeds derived from the sale of any bonds issued pursuant to this act.

8. To provide for the terms, form, registration, exchange, execution and authentication of bonds, and for the replacement of lost, destroyed or mutilated bonds.

9. To make covenants with respect to the use of the facilities, to be constructed with the proceeds of the bonds authorized hereby, and of the other facilities, whose revenues shall be pledged for the payment of the bonds.

10. To prescribe the terms and conditions under which additional bonds on a parity with bonds issued pursuant to this act may be issued, if subsequent legislative authorization be obtained.

11. To covenant that all revenues pledged for the payment of the bonds shall be duly segregated into special funds, and that such funds will be used solely for the purposes for which they are intended and for no other purpose.

12. To covenant for the mandatory redemption of bonds on such terms and conditions as the resolutions authorizing such bonds shall prescribe.

13. To prescribe the procedure, if any, by which the terms of the contract with the bondholders may be amended, the number of bonds whose holders must consent thereto, and the manner in which such consent shall be given.

14. To covenant as to the maintenance of the facilities, whose revenues shall be pledged for the payment of the bonds, the insurance to be carried thereon, and the use and disposition of proceeds from any insurance policy.

15. To prescribe the events of default and the terms and conditions upon which all or any bonds shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

16. To impose a statutory lien upon the facilities, whose revenues shall be pledged to secure the bonds. Such lien shall extend to such facilities, to their appurtenances and extensions, to their additions, improvements and enlargements to the extent specified in the resolutions and shall inure to the benefit of the holders of the bonds secured thereby. Such facilities shall remain subject to such statutory lien until the payment in full of the principal and interest of the

bonds. Any holder of any of the bonds, or any of the coupons representing interest thereon, may, either at law or in equity, by suit, action, mandamus or other proceedings, protect and enforce the statutory lien, and may, by suit, action, mandamus or other proceedings enforce and compel performance of all duties of the Trustees, including the fixing of sufficient rates, the proper segregation of the revenues, and the proper application thereof. *Provided*, however, that the statutory lien shall not be construed to give any such bond or coupon holder authority to compel the sale of any of the facilities, or any part thereof.

17. To covenant that if there be any default in the payment of the principal of or interest upon any of the bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the facilities, whose revenues shall be pledged for the payment of such bonds, with power to fix rates and charges for the facilities, sufficient to provide for the payment of the expense of operating and maintaining such facilities, and to apply the income and revenues of such facilities to the payment of such bonds, and the interest thereon.

SECTION 14. No time limit set on issuance of bonds.—The authorizations granted by this act shall remain of full force and effect until they shall be rescinded by subsequent enactment, and no time limit is set for the issuance of bonds pursuant to this act.

SECTION 15. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

An Act To Authorize The Board Of Trustees Of The University Of South Carolina To Construct And Equip A New Infirmary And An Addition To The Existing Student Union Building At The University Of South Carolina; To Authorize The Trustees To Issue Bonds Of The University Of South Carolina; And To Authorize The Board Of Trustees Of Clemson Agricultural Col-

lege To Construct And Equip A New Library At The College, And To Authorize The Trustees To Issue Bonds Of The College, And The Bonds Of The University Of South Carolina And The Bonds Of Clemson Agricultural College Shall Be Payable From A Special Fee To Be Imposed Upon The Students In Attendance At The University Of South Carolina And At Clemson Agricultural College To Raise The Moneys Required For These Purposes; To Authorize The Imposition Of The Special Fees; To Prescribe The Conditions Under Which Bonds May Be Issued And The Covenants And Undertakings To Secure Them; To Make Provision For The Payment Of The Bonds; And To Empower The State Treasurer To Receive And Apply The Revenues Derived From The Special Fees For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly — University of S. C.—The General Assembly finds that the continued growth of the student body at the University of South Carolina (hereinafter called the "University") has resulted in a need for further expansion of the physical facilities of the University. In particular, an addition to the Student Union Building and a new infirmary are urgent. It has concluded that the cost of facilities of this sort designed primarily for student comfort and welfare should be borne by a special charge imposed upon those in attendance at the University and to whom such facilities will become available. It has, therefore, determined to authorize the financing of the cost of the construction of these facilities through means of bonds payable from a special fee hereafter to be imposed upon all who shall be in attendance at the University and in an amount sufficient to provide for payment of principal and interest of an issue of not exceeding one million, seven hundred fifty thousand dollars of University of South Carolina Student Union and Infirmary Building Bonds.

SECTION 2. University may add to Student Union Building and construct infirmary.—The General Assembly authorizes the construction and equipping of an addition to the existing Student Union Building and a new Infirmary on the campus of the University of South Carolina, at an aggregate cost not exceeding one million, seven hundred fifty thousand dollars. The construction and equipping of such facilities shall be effected under the supervision of the Board of Trustees of the University (hereinafter called the "Board").

SECTION 3. University may borrow money—issue bonds.—

In order to raise the moneys required for the program authorized by Section 2 of this act, the board is authorized to issue not exceeding one million, seven hundred fifty thousand dollars of bonds of the University, payable from the special fee authorized by Section 4 of this act.

SECTION 4. Payment.—The bonds issued pursuant to this act shall be payable from a special fee which shall be imposed upon each student in attendance at the University for each regular semester or summer school semester and shall be fixed in such amount (and revised when necessary) as to provide the funds needed to effect the payment of the principal of and interest on the bonds authorized by this act.

SECTION 5. Faith and credit of State not to be pledged.—

The faith and credit of the State of South Carolina shall not be pledged for the payment of the principal and interest of these bonds and there shall be on the face of each bond a statement plainly worded to that effect. Neither the members of the board of trustees nor any other person signing the bonds shall be personally liable therefor.

SECTION 6. Trustees to adopt resolutions concerning issuance of bonds.—

In order to utilize the authorizations of this act, the board shall adopt resolutions providing for the issuance of the bonds herein authorized, within the limitation herein mentioned, and by resolution shall prescribe the tenor, terms and conditions of the bonds. The bonds shall be issued either as a single issue or from time to time as several separate issues. In the event that the bonds authorized by this act shall be issued as two or more issues, then notwithstanding, all bonds issued shall be on a parity in all respects and shall be equally and ratably entitled to payment from the source provided to meet the payment of such bonds.

SECTION 7. Maturity — interest — denominations — redemption.—

The bonds shall be issued as serial bonds, maturing in equal or unequal amounts, at such times and on such occasions as the board shall determine; *provided*, always, that the last maturing bonds of any issue shall be expressed to mature not later than fifty years from their date, and the first maturing bonds of any issue, issued pursuant to this act, shall fall due within five years from their date. They shall bear such rate or rates of interest, payable on such

occasions as the board shall prescribe, and the bonds shall be in such denominations, shall be payable in such medium of payment, and at such place as such resolutions shall prescribe. All bonds maturing subsequent to fifteen years from their date shall be subject to redemption not later than fifteen years from their date, and on all subsequent interest payment dates prior to their respective maturities. All bonds may be issued with a provision permitting their redemption on any interest payment date prior to their respective maturities. Bonds made subject to redemption prior to their stated maturities may contain a provision requiring the payment of a premium for the privilege of exercising the right of redemption, in such amount or amounts as the board shall prescribe in the resolutions authorizing their issuance. All bonds that are subject to redemption shall contain a statement to that effect on the face of each bond. The resolutions authorizing their issuance shall contain provisions, specifying the manner of call and the notice of call that must be given.

SECTION 8. Form.—The bonds may be in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered on the books of the Treasurer of the University of South Carolina, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer) upon such conditions as the board may prescribe, or such bonds may be issued as fully registered bonds. If issued as fully registered bonds, it may be provided that they may thereafter be converted into negotiable coupon bonds of the tenor first above described.

SECTION 9. Exempt from taxes.—The bonds authorized by this act and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 10. Lawful for certain persons to invest in bonds.—It shall be lawful for all executors, administrators, guardians and fiduciaries, and all sinking fund commissions to invest any moneys in their hands in such bonds.

SECTION 11. Execution.—The bonds and the coupons, if any, attached to the bonds, shall be executed in the name of the University of South Carolina in such manner and by such persons as the board shall from time to time determine, and the seal of the University shall be affixed to or impressed on each bond. Any coupons attached to the bonds shall be authenticated by the facsimile signature of one or more of the persons signing the bonds. The delivery of the bonds so ex-

ecuted shall be valid notwithstanding changes in officers or seal occurring after such execution.

SECTION 12. Sale.—The bonds shall be disposed of in such manner as the board shall determine, except that no sale, privately negotiated without public advertisement, shall be made unless the approval of the State Budget and Control Board shall be obtained. If the board of trustees shall elect to sell the bonds at public sale, at least one advertisement thereof shall appear in some newspaper of general circulation in South Carolina not less than ten days prior to the occasion fixed for the opening of bids.

SECTION 13. Powers.—To the end that the payment of the principal of and interest on the bonds authorized herein shall be adequately secured, the board shall be empowered, in its discretion:

1. To covenant and agree that throughout the life of the bonds the special fee (which shall bear such nomenclature as the board shall determine) shall be imposed upon all persons in attendance at the University and shall be fixed in such amount (without limitation as to rate) as shall be sufficient to meet the payment of the principal and interest of the bonds as they become due, and to create such cushion or reserve fund as may be deemed desirable by the board. The cushion or reserve shall be used only to meet the payment of the principal and interest of the bonds under such conditions as the board shall prescribe, and shall be set up in such manner as to insure the availability of the cushion for such purposes.

2. To establish a parietal rule requiring the payment of the fee above referred to.

3. To covenant as to the use of the proceeds of the sale of the bonds authorized pursuant to this act.

4. To provide for the terms, form, registration, exchange, execution and authentication of bonds, and for the replacement of lost, destroyed or mutilated bonds.

5. To covenant that all revenues pledged for the payment of the bonds shall be duly segregated into special funds, and that such funds will be used solely for the purposes for which the same are intended and for no other purpose.

6. To covenant for the mandatory redemption of bonds on such terms and conditions as the resolutions authorizing such bonds shall prescribe.

7. To prescribe the procedure, if any, by which the terms of the contract with the bondholders may be amended, the number of bonds

whose holders must consent thereto, and the manner in which such consent shall be given.

8. To covenant as to the maintenance of the facilities, whose revenues shall be pledged for the payment of the bonds, the insurance to be carried thereon, and the use and disposition of proceeds from any insurance policy.

9. To prescribe the events of default and the terms and conditions upon which all or any bonds shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 14. Custody of funds.—The Treasurer of South Carolina is authorized to accept custody of funds derived from the special fee authorized by this act and intended for the payment of the principal and interest of the bonds herein authorized, and to utilize such funds for the payment of the principal and interest of the bonds and for the special cushion or reserve fund whose creation is herein authorized.

SECTION 15. Findings of General Assembly—Clemson.—The General Assembly finds that the continued growth of the student body at Clemson Agricultural College (hereinafter called the "College") has resulted in a need for improved library facilities of the College. In particular, a new library is urgently needed. It has concluded that the cost of facilities of this sort designed primarily for student improvement should be borne by a special charge imposed upon those in attendance at the College and to whom such facilities will become available. It has, therefore, determined to authorize the financing of a part of the cost of the construction of the library through means of bonds payable from a special fee hereafter to be imposed upon all who shall be in attendance at the College and in an amount sufficient to provide for payment of principal and interest of an issue of not exceeding one million, five hundred thousand dollars of Clemson Agricultural College Library Building Bonds.

SECTION 16. College may construct library.—The General Assembly authorizes the construction and equipping of a new library on the campus of the College, at an aggregate cost not exceeding two million, five hundred thousand dollars. The construction and equipping of such facilities shall be effected under the supervision of the Board of Trustees of the College (hereinafter called the "Board").

SECTION 17. College may borrow money—issue bonds.—In order to raise a portion of the moneys required for the program authorized by Section 16 of this act, the board is authorized to issue not exceeding one million, five hundred thousand dollars of bonds of the College, payable from the special fee authorized by Section 18 of this act.

SECTION 18. Payment.—The bonds issued pursuant to this act shall be payable from a special fee which shall be imposed upon each student in attendance at the College for each regular semester or summer school semester and shall be fixed in such amount (and revised when necessary) as to provide the funds needed to effect the payment of the principal of and interest on the bonds authorized by this act.

SECTION 19. Faith and credit of State not to be pledged.—The faith and credit of the State of South Carolina shall not be pledged for the payment of the principal and interest of these bonds and there shall be on the face of each bond a statement plainly worded to that effect. Neither the members of the board of trustees, nor any other person signing the bonds shall be personally liable therefor.

SECTION 20. Trustees to adopt resolutions concerning issuance of bonds.—In order to utilize the authorizations of this act, the board shall adopt resolutions providing for the issuance of the bonds herein authorized, within the limitation herein mentioned, and by resolution shall prescribe the tenor, terms and conditions of the bonds. The bonds shall be issued either as a single issue or from time to time as several separate issues. In the event that the bonds authorized by this act shall be issued as two or more issues, then notwithstanding, all bonds issued shall be on a parity in all respects and shall be equally and ratably entitled to payment from the source provided to meet the payment of such bonds.

SECTION 21 A. Maturity — interest — denominations — redemption.—The bonds shall be issued as serial bonds, maturing in equal or unequal amounts, at such times and on such occasions as the board shall determine; *provided*, always, that the last maturing bonds of any issue shall be expressed to mature not later than fifty years from their date, and the first maturing bonds of any issue, issued pursuant to this act, shall fall due within five years from their date. They shall bear such rate or rates of interest, payable on such

occasions as the board shall prescribe, and the bonds shall be in such denominations, shall be payable in such medium of payment, and at such place as such resolutions shall prescribe. All bonds maturing subsequent to fifteen years from their date shall be subject to redemption not later than fifteen years from their date, and on all subsequent interest payment dates prior to their respective maturities. All bonds may be issued with a provision permitting their redemption on any interest payment date prior to their respective maturities. Bonds made subject to redemption prior to their stated maturities may contain a provision requiring the payment of a premium for the privilege of exercising the right of redemption, in such amount or amounts as the board shall prescribe in the resolutions authorizing their issuance. All bonds that are subject to redemption shall contain a statement to that effect on the face of each bond. The resolutions authorizing their issuance shall contain provisions, specifying the manner of call and the notice of call that must be given.

SECTION 21 B. Form.—The bonds may be in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered on the books of the Treasurer of Clemson Agricultural College, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer) upon such conditions as the board may prescribe, or such bonds may be issued as fully registered bonds. If issued as fully registered bonds, it may be provided that they may thereafter be converted into negotiable coupon bonds of the tenor first above-described.

SECTION 22. Exempt from taxes.—The bonds authorized by this act and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 23. Lawful for certain persons to invest in bonds.—It shall be lawful for all executors, administrators, guardians and fiduciaries, and all sinking fund commissions to invest any moneys in their hands in such bonds.

SECTION 24. Execution.—The bonds and the coupons, if any, attached to the bonds, shall be executed in the name of Clemson Agricultural College in such manner and by such persons as the board shall from time to time determine, and the seal of the College shall be affixed to or impressed on each bond. Any coupons attached to the bonds shall be authenticated by the facsimile signature of one or

more of the persons signing the bonds. The delivery of the bonds so executed shall be valid notwithstanding changes in officers or seal occurring after such execution.

SECTION 25. Sale.—The bonds shall be disposed of in such manner as the board shall determine, except that no sale, privately negotiated without public advertisement, shall be made unless the approval of the State Budget and Control Board shall be obtained. If the board of trustees shall elect to sell the bonds at public sale, at least one advertisement thereof shall appear in some newspaper of general circulation in South Carolina not less than ten days prior to the occasion fixed for the opening of bids.

SECTION 26. Powers.—To the end that the payment of the principal of and interest on the bonds authorized herein shall be adequately secured, the board shall be empowered, in its discretion:

1. To covenant and agree that throughout the life of the bonds the special fee (which shall bear such nomenclature as the board shall determine) shall be imposed upon all persons in attendance at the College and shall be fixed in such amount (without limitation as to rate) as shall be sufficient to meet the payment of the principal and interest of the bonds as they become due, and to create such cushion or reserve fund as may be deemed desirable by the board. The cushion or reserve shall be used only to meet the payment of the principal and interest of the bonds under such conditions as the board shall prescribe, and shall be set up in such manner as to insure the availability of the cushion for such purposes.

2. To establish a parietal rule requiring the payment of the fee above referred to.

3. To covenant as to the use of the proceeds of the sale of the bonds authorized pursuant to this act.

4. To provide for the terms, form, registration, exchange, execution and authentication of bonds, and for the replacement of lost, destroyed or mutilated bonds.

5. To covenant that all revenues pledged for the payment of the bonds shall be duly segregated into special funds, and that such funds will be used solely for the purposes for which the same are intended and for no other purpose.

6. To covenant for the mandatory redemption of bonds on such terms and conditions as the resolutions authorizing such bonds shall prescribe.

7. To prescribe the procedure, if any, by which the terms of the contract with the bondholders may be amended, the number of bonds whose holders must consent thereto, and the manner in which such consent shall be given.

8. To covenant as to the maintenance of the facilities, whose revenues shall be pledged for the payment of the bonds, the insurance to be carried thereon, and the use and disposition of proceeds from any insurance policy.

9. To prescribe the events of default and the terms and conditions upon which all or any bonds shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 27. Custody of funds.—The Treasurer of South Carolina is authorized to accept custody of funds derived from the special fee authorized by this act and intended for the payment of the principal and interest of the bonds herein authorized, and to utilize such funds for the payment of the principal and interest of the bonds and for the special cushion or reserve fund whose creation is herein authorized.

SECTION 28. Time limit.—The authorizations granted by this act shall remain of full force and effect until they shall be rescinded by subsequent enactment, and no time limit is set for the issuance of bonds pursuant to this act.

SECTION 29. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 30. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

An Act To Authorize The State Budget And Control Board To Lend To Clemson Agricultural College Of South Carolina The Sum Of Five Hundred Sixty Thousand Dollars For The Construction Of A Sewage Treatment Plant.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Clemson may construct a sewage treatment plant.—The State Budget and Control Board is hereby authorized to lend the sum of five hundred sixty thousand dollars to Clemson Agricultural College of South Carolina under such terms and conditions as may be agreed upon between the Budget and Control Board and the College. The funds derived from the loan shall be used by Clemson Agricultural College for the construction of a sewage treatment plant made necessary by the construction of Hartwell Dam.

SECTION 2. Payment.—The claim by Clemson Agricultural College against the United States Government for the cost, including construction and design, of the sewage treatment plant referred to in Section 1 of this act, is hereby pledged toward payment of the loan authorized herein. In addition to the funds received from the Federal Government for the claim referred to herein, there is also pledged for the repayment of the loan such portion of the tax imposed under provisions of Section 65-901 of the Code of 1952, as amended, that has not been pledged prior to the effective date of this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R872, S498)

No. 1011

An Act To Authorize The State Of South Carolina To Borrow From The Division Of Sinking Funds And Property The Sum Of Four Million Dollars For Office Building Purposes And To Provide For The Expenditures And Repayment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. State may borrow money for office buildings.—The State of South Carolina is authorized to borrow from the Division of Sinking Funds and Property the sum of four million dollars, if so much be necessary, for the purpose of purchasing land and the erection and equipping of office buildings.

SECTION 2. Terms and interest.—The money shall be borrowed on terms approved by the Budget and Control Board with interest thereon at the rate of four per cent per annum.

SECTION 3. Expenditure of money.—The money so borrowed shall be allocated to and expended by the Budget and Control Board.

SECTION 4. Execution.—The note or notes shall be signed by the Chairman of the Budget and Control Board and the State Treasurer.

SECTION 5. Payment.—The full faith, credit, and taxing power of the State are hereby irrevocably pledged for the payment of the note or notes.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R885, H2115)

No. 1012

An Act To Authorize The South Carolina Aeronautics Commission To Borrow Certain Funds And To Provide For The Use And Repayment Of The Funds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. South Carolina Aeronautics Commission may borrow money.—The South Carolina Aeronautics Commission may borrow from the South Carolina Division of Sinking Funds and Property, on such terms as may be agreed upon, the sum of eighty-five thousand dollars. The funds shall be utilized for the construction of buildings to house communication facilities at the state-owned airport at Crescent Beach.

SECTION 2. Leasing or conveying facilities.—The facilities so constructed may be leased for a period of years to such persons or agencies as may be approved by the commission, provided that the repayment of the principal and interest thereon shall be amortized over a period not to exceed ten years. The facilities so constructed may be conveyed to such persons or agencies as the commission may approve upon the payment of the principal and all accrued interest to date.

SECTION 3. Contingency.—The authority granted herein for the Aeronautics Commission to borrow the sum of eighty-five thousand

dollars, as stated in Section 1 above, is contingent upon securing a valid lease from the United States Government on such terms as may be agreed upon.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R949, H2259)

No. 1013

An Act To Authorize The State Commission Of Forestry To Borrow Not To Exceed Three Hundred Twenty Thousand Dollars From The Division Of Sinking Funds And Property To Finance The Construction Of Buildings On Commission Owned Property, To Provide For The Payment Of The Loan And To Provide For The Abandonment And Sale Of Certain Facilities And Land Owned By The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. State Commission of Forestry may borrow money—terms—security.—The State Commission of Forestry is hereby authorized to borrow from the Division of Sinking Funds and Property the sum of three hundred twenty thousand dollars, if so much be necessary, to finance the construction of a central office building, warehouse, and repair shops on Commission owned property near Columbia. The term of such loan shall not exceed seven years and the loan shall be secured by a note signed by the Chairman of the State Commission of Forestry.

SECTION 2. Payment.—The Commission is authorized to pledge a sufficient amount of the State's portion of the revenue derived from State forests to retire the note in equal annual payments, together with interest charges on the note, and the principal and interest payments on this note shall be prior to any other claim against this revenue source. After a sufficient amount shall have been set aside each year to cover the principal and interest payments on this note, the remainder of such revenue may be used as authorized by Act 909 of 1960 if so much be necessary.

SECTION 3. Sale of abandoned property.—The warehouse, repair shop buildings, facilities and land owned by the Commission at

Sumter, South Carolina shall be abandoned and sold in such manner, and for such sum, as may be approved by the State Budget and Control Board, the proceeds of which sale shall be applied to the retirement of the loan authorized in this act.

SECTION 4. Powers.—The Commission may enter into such contracts as may be necessary to carry out the provisions of this act; *provided*, however, that no expenditure or contract authorized herein shall be made without prior approval of the State Budget and Control Board.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R933, H2024)

No. 1014

An Act To Promote Lieutenant-Colonel Isadore Schayer To The Rank Of Brigadier General, Retired, Of The National Guard Of South Carolina.

Whereas, Lieutenant-Colonel Isadore Schayer has served the people of South Carolina for many, many years as a renowned physician and surgeon, having received the Degree of Doctor of Medicine from the University of Cincinnati in 1902; and

Whereas, in addition to the services to humanity in the field of medicine he has been an outstanding member of the South Carolina National Guard since May 6, 1898, at which time he enlisted as a private of infantry; and

Whereas, Lieutenant-Colonel Schayer served the people of his State and entire Nation in the Spanish American War, on the Mexican Border in 1916 and in World Wars I and II; and

Whereas, Lieutenant-Colonel Schayer is now the oldest living National Guard Officer of the South Carolina National Guard; and

Whereas, Lieutenant-Colonel Schayer was Chief Surgeon of the National Guard of South Carolina from 1921 to September, 1940; and

Whereas, Lieutenant-Colonel Schayer was retired from active duty on January 12, 1944; and

Whereas, the General Assembly believes that the extraordinary services of this outstanding physician and soldier should be the subject

of recognition by elevating Dr. Schayer to the rank of Brigadier General of the National Guard of South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Isadore Schayer promoted to Brigadier General.—Lieutenant-Colonel Isadore Schayer is promoted to the rank of Brigadier General, Retired, of the National Guard of South Carolina.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R699, S469)

No. 1015

An Act To Validate The Sale Of Certain Property In Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sale of Abbeville County property validated.—All action of the supervisor and sub-supervisors of Abbeville County, concerning the sale of twenty and sixty one-hundredths acres of property of the county farm to the Research, Planning and Development Board of Abbeville County, for the sum of one thousand thirty dollars and fifty-two cents by deed dated January 9, 1962, is hereby validated, notwithstanding the fact that Act No. 795 of 1960 inadvertently authorized the county commissioners instead of the supervisor and sub-supervisors of Abbeville County to sell or lease county property.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R829, S564)

No. 1016

An Act To Empower The Board Of Supervisors Of Abbeville County To Acquire New Courthouse And Office Facilities; To Provide For An Election Therefor; To Authorize The Issuance Of General Obligation Bonds Of Abbeville County; To Make Provision For The Payment Of Such Bonds; And To Repeal Act No. 916 Of 1960.

Whereas, the Grand Jury of Abbeville County has conducted an investigation as to the need of new courthouse facilities for Abbeville County, and has recommended that such be procured either through the renovation and modernization of the present courthouse or through the construction and equipping of a new courthouse; and

Whereas, the cost of constructing and equipping a new courthouse has been estimated to be three hundred eighty thousand dollars, while the cost of essential improvements to the existing courthouse has been estimated to be one hundred thirty-four thousand dollars; and

Whereas, regardless of whether a new courthouse is erected or the old one is renovated, a county office building will be needed to house the various State and Federal agencies that have moved into the courthouse in the last few years, at a cost of one hundred forty-four thousand dollars; and

Whereas, the General Assembly has determined to empower the Board of Supervisors of Abbeville County to present the question to the qualified electors of the county for the purpose of determining:

(a) Whether the approval of those voting in such election shall be given to the acquisition of new courthouse and office facilities for Abbeville County; or

(b) Whether such improved facilities shall take the form of the renovation and modernization of the existing courthouse building and erecting an office building. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Abbeville County to have election concerning courthouse facilities and office building.—To obtain an expression of the approval or disapproval from the qualified electors of Abbeville County upon the question of providing new or renovated courthouse facilities and an office building for Abbeville County and to obtain an expression of the preference of such voters as to the method to be employed to obtain such facilities, there shall be submitted to the qualified electors of Abbeville County at the primary on the

second Tuesday of June 1962, a ballot upon which shall appear the following questions:

“QUESTION NUMBER ONE

Shall Abbeville County undertake the acquisition of new courthouse facilities by constructing a new courthouse and an office building at a total cost of five hundred thirty thousand dollars plus the cost of two sites or one site and demolition of old courthouse?

YES ☐

NO ☐

QUESTION NUMBER TWO

Shall Abbeville County renovate and modernize the existing courthouse building and in addition thereto construct an office building with the total cost of both, renovating the courthouse and the new office building, of two hundred seventy-eight thousand dollars plus cost of site for office building?

YES ☐

NO ☐

The ballot employed in such election shall contain instructions which shall apprise those voters of what each question stands for. Those in favor of either constructing a new courthouse and constructing new office facilities, or renovating the old courthouse and constructing new office facilities, should place a check in the space opposite the word “YES.” Those opposed to either or both propositions should place a check in the space opposite the word “NO” following the proposition to which they are opposed. Box managers should be ready to explain the full meaning of each of the questions to any qualified elector who desires assistance.

SECTION 2. Notice of election.—The Board of Supervisors of Abbeville County shall give notice of the questions provided in Section 1 of this act to be presented to the qualified electors, and such notice shall be published in a newspaper of general circulation once a week for three weeks prior to the primary and shall be posted on the courthouse door. Such notice of election shall set forth in full the questions to be presented to the qualified electors, the reasons therefor and the full explanation of the meaning of each.

SECTION 3. Ballots.—The board of supervisors shall have the necessary ballots prepared, the expenses of which shall be paid from the general fund of the county, and shall have the required number of ballots delivered to each voting place of the county. The ballots

shall be delivered to the various box managers at the same time that other ballots of the primary are delivered.

The ballots will be counted and canvassed and the results declared in the same manner as other ballots of the primary and the board of supervisors notified of the results.

SECTION 4. Results.—Upon being advised of the results of the election, the board of supervisors shall, by resolution duly adopted, declare the result thereof, and shall cause a certified copy of such resolution declaring such result to be filed in the office of the Clerk of Court of Abbeville County. The result of the election shall not be open to question except by suit or proceeding instituted within thirty days from the filing of such certified copy of the resolution of the board of supervisors declaring the result of the election.

SECTION 5. Commission to be appointed if election favorable.—Unless a majority of the qualified electors voting in the election shall vote “YES” to Question Number One indicating that they favor a new courthouse, no action will be taken to acquire a new courthouse and office facilities. If a majority of the qualified electors voting in the election shall favor either constructing a new courthouse and office facilities or renovating the old one, a commission consisting of three citizens of Abbeville County shall be appointed by the legislative delegation from the county for the purpose of supervising the construction involved.

The commission shall have authority to contract for suitable architects and a construction force in order to build the completely new courthouse and office building, or renovate and modernize the present one with office facilities, depending on which the qualified electors of Abbeville County decide upon. The commission shall advise with the county delegation from time to time in matters pertaining to the courthouse. They shall have complete authority to let the necessary contracts concerning the courthouse within the financial means provided. The commission shall be paid no salary and shall be authorized no mileage or per diem.

SECTION 6. Decision in case of tie vote.—In the event of a tie vote on Questions One and Two, the final decision on which method shall prevail shall be made by the commission and the legislative delegation shall be notified forthwith.

SECTION 7. Bond issue.—In order to provide necessary funds, the Board of Supervisors of Abbeville County shall be empowered to

issue general obligation bonds of Abbeville County as follows: new courthouse and office building—six hundred twenty-five thousand dollars; renovate courthouse and new office building—three hundred twenty-five thousand dollars.

SECTION 8. Bond issue further.—The Board of Supervisors of Abbeville County, hereinafter referred to as the “board”, consisting of the county supervisor of the county and two sub-supervisors, who together constitute the Board of Supervisors of Abbeville County as prescribed by Article 1 of Chapter 15, Title 14 of the 1952 Code, as amended, shall be empowered to issue not exceeding six hundred twenty-five thousand dollars, or three hundred twenty-five thousand dollars, depending on what the voters of the county decide, of general obligation bonds of Abbeville County, the proceeds of which shall be expended in the acquisition of new courthouse facilities and office building or renovating present courthouse and building new office facilities for Abbeville County.

SECTION 9. Maturity—redemption—interest.—The bonds shall be issued either as a single issue or from time to time in several separate issues. Each issue of bonds shall mature serially in successive annual installments of such amounts as may be determined by the board. The maturity date of the first installment of any series shall be not later than three years from the date of such series and the maturity date of the last installment of such series shall be not later than twenty years from the date of such series. The bonds may contain a provision permitting their redemption prior to their stated maturity at such premiums as shall be prescribed by the board. They shall bear such rates of interest as the board may determine, payable semiannually, but the interest cost of any issue shall not exceed four per cent per annum. They shall bear such dates and be payable at such places as the board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Abbeville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the board may prescribe.

SECTION 10. Execution.—The bonds shall be executed in the name of Abbeville County by the county supervisor and shall be attested by the Treasurer of Abbeville County under the seal of the board. The coupons appertaining to such bonds need not be authen-

ticated otherwise than by the facsimile signatures of the county supervisor and the treasurer of the county lithographed or engraved thereon.

SECTION 11. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 12. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Abbeville County in a special fund, separate and distinct from all other funds, and shall be expended for the following purposes:

(1) The accrued interest, if any, shall be applied to meet the first installment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first installment of principal to become due.

(3) The principal proceeds shall be expended upon the order or warrant of the board for:

(a) The cost of issuing the bonds;

(b) Defraying the cost of new or renovated courthouse facilities with office building.

If any money shall remain after making the foregoing applications, the remainder shall be applied to the retirement of bonds issued pursuant to this act. No purchaser or subsequent holder of any of the bonds shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

SECTION 13. Payment.—The full faith, credit and taxing power of Abbeville Coounty shall be pledged for the payment of the bonds and interest and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county sufficient to pay such principal and interest as they respectively mature.

SECTION 14. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 15. Act 916 of 1960 repealed.—Act No. 916 of 1960 and all acts or parts of acts inconsistent herewith are repealed.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R902, H2393)

No. 1017

An Act To Authorize And Empower The Board Of Trustees Of The School District Of Abbeville County To Issue Not Exceeding One Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The School District, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that the School District of Abbeville County, the State of South Carolina (sometimes known as Abbeville County School District No. 60) has a need for further school facilities in order to accommodate pupils attending the public school system in the school district. It has therefore determined to authorize the board of trustees of the school district to effect the acquisition of further school facilities through the constructing and equipping of buildings and the renovation and improvement of existing buildings to the extent of one hundred fifty thousand dollars, or such lesser sum as may, upon the occasions of the issuance of bonds be determined to be within the constitutional limitation applicable to the school district.

SECTION 2. Additional school facilities may be acquired.—The Board of Trustees of the School District of Abbeville County is empowered to acquire such further school facilities as may be procured through the issuance and sale of the bonds authorized hereby and through such other funds made available to the board of trustees, and to that end, shall be empowered to construct and equip new school buildings, to improve, enlarge and re-equip existing school buildings, and to acquire such land as may be needed therefor.

SECTION 3. Bond issue authorized—use of proceeds.—In order to obtain funds for the purposes herein set forth, the board of trustees is hereby authorized and empowered to issue not exceeding one

hundred fifty thousand dollars of general obligation bonds of the School District of Abbeville County. The proceeds derived from the sale of the bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of the bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to acquire further school facilities as provided herein.

(d) If any balance remain, it shall be held by the Treasurer of Abbeville County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 4. Issue — maturity — redemption — interest — dates.—The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the board of trustees of the school district, *provided*, that no bonds shall be issued later than three years after the effective date of this act. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the board of trustees, except that the maturity date of the last installment of any bonds issued hereunder shall fall due not later than twenty-five years from the date the bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board of trustees, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the board of trustees shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates of interest as the board of trustees may determine, payable on such occasions as the board shall determine, but the average rate of interest for any issue of bonds sold pursuant to the authorizations of this act shall not exceed four and one-half per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Abbeville County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board of trustees may prescribe. They shall bear such date or dates and be payable at such places as the board of trustees may likewise prescribe.

SECTION 5. Execution.—The bonds, and the interest coupons thereto attached, shall be executed in such manner as the board of trustees shall prescribe.

SECTION 6. Sale.—The bonds shall be sold by the board of trustees at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 7. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Act No. 730 of the Acts of 1952.

SECTION 8. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the School District of Abbeville County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Abbeville County, and collected by the Treasurer of Abbeville County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor; *provided*, that, until changed by subsequent enactment, the ad valorem tax levy shall be reduced to the extent that there is on deposit with the Treasurer of Abbeville County, on the occasion in each year when the ad valorem tax levy is to be made, moneys derived from contributions or grants from the State of South Carolina to the School District of Abbeville County for capital improvements for school facilities which can be used for the payment of such principal and interest, and in all instances where an annual tax levy is so reduced, the moneys derived from such contributions and grants shall be applied to the payment of such principal and interest and to no other purpose.

SECTION 9. Powers of trustees.—Any action required of the board of trustees may be taken at any meeting of the board of trustees, regular or special, and at such meeting a majority of the members of the board of trustees shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or tak-

ing any other action permitted or required of the board of trustees by the provisions of this act.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R907, H2446)

No. 1018

An Act To Empower The Board Of Trustees Of Abbeville County Memorial Hospital To Construct And Equip A New Hospital For Abbeville County; To Authorize The Issuance Of General Obligation Bonds Of Abbeville County If The Election Prescribed By This Act Shall Result Favorably; To Make Provision For The Payment Of Such Bonds; And To Further Define The Powers And Duties Of The Board Of Trustees Of The Hospital.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that as a consequence of the favorable results of the election held pursuant to Section 2 of an act of the General Assembly of the State of South Carolina, entitled "An Act To Create A Self Perpetuating Board Of Trustees For Abbeville County Memorial Hospital And To Submit To The Qualified Electors Of The City Of Abbeville The Question As To Whether The Said Hospital Shall Be Deeded To Said Trustees.", approved the twentieth day of February, 1928 (hereinafter called "the act of 1928"), a hospital was established for the use of the citizens of Abbeville County. Following the appointment of Trustees in accordance with the provisions of Section 1 of the act of 1928, the City of Abbeville did thereafter deed the board of trustees certain property in the City of Abbeville on which stood the hospital, until that time, operated by the City of Abbeville.

Following such occasion the hospital has continued to function as an agency or institution of Abbeville County and has been the recipient of annual appropriations by Abbeville County which have been

used to pay a portion of the cost of operating and maintaining the same.

An investigation and study of the facilities now existing at the hospital have resulted in a determination that the present building has outlived its usefulness as a Hospital and that a new hospital should be constructed upon a more appropriate site. It has been determined that the operation of the new hospital should continue under the administration of the board of trustees established by the act of 1928, but that the powers and duties of the board should be more adequately defined.

Investigations of the cost of a new facility indicate that substantial moneys may become available to Abbeville County through the operation of the Federal Statute commonly referred to as the Hill-Burton Act. Due investigation has also been made of the bonded debt of Abbeville County and it is believed that with the proceeds of the sale of the bonds authorized by this act, plus grants received from Hill-Burton or other sources, an adequate modern structure can be constructed and equipped.

The General Assembly has therefore determined to permit the construction and equipping of a new hospital building for Abbeville County on a site to be selected by the board of trustees established under the act of 1928, if the election prescribed by this act as a condition precedent shall result favorably.

It has likewise determined to define the duties and powers of the board of trustees.

SECTION 2. Abbeville County may issue bonds if election favorable—election—question—notice.—If the election required by this act shall result favorably, then the County Board of Supervisors of Abbeville County shall be empowered to issue and sell, either as a single issue, or from time to time as several separate issues, not exceeding five hundred fifteen thousand dollars of general obligation bonds of Abbeville County. In order to obtain an expression of approval or disapproval of the qualified electors of Abbeville County upon the question of providing a new hospital for Abbeville County and the issuance of bonds, to the extent above set forth, to provide funds therefor, there shall be submitted to the qualified electors of Abbeville County, in the election to be held on the second Tuesday in May, 1962, a ballot upon which shall appear the following question :

"Shall Abbeville County undertake the construction and equipping of a new hospital building, and to provide funds therefor, and to issue general obligation bonds of Abbeville County not exceeding five hundred fifteen thousand dollars?

YES ☐
NO ☐

The ballot shall contain suitable instructions advising all those who may vote in the election upon the question so submitted that those in favor of issuing general obligation bonds of Abbeville County for the purpose of constructing and equipping a new hospital should place a check in the space opposite the word "YES", and that those who are opposed should place a check in the space opposite the word "NO".

The Board of Supervisors of Abbeville County shall give notice of the holding of the election by causing a notice thereof to be published in one or more newspapers published in Abbeville County once a week for three successive weeks prior to the date of the election. Such notice shall set forth the following information:

1. The date on which the election is to be held;
2. The location of the polling place for each precinct;
3. The qualifications relating to voting; and
4. The form of question to be submitted.

Not less than three weeks prior to the holding of the election the board of Supervisors (hereinafter called the "county board") shall notify the Commissioners of Election for Abbeville County that the election will be held. Thereupon the commissioners of election shall conduct the election, arrange for voting places for each precinct in Abbeville County and shall cause the appropriate number of ballots to be printed in accordance with the provisions of Section 23-347, Code of Laws of South Carolina, 1952, and except as provided by this act, the election shall be held in accordance with the South Carolina Election Law, Title 23 of the 1952 Code, as amended.

SECTION 3. Results.—The commissioners of election shall receive the returns of the election, determine the results thereof, and in due course transmit the results to the county board.

SECTION 4. Further.—Upon being advised of the results of the election, the county board shall, by resolution duly adopted, declare the result thereof, and shall cause a certified copy of the resolution declaring such result, to be filed in the office of the Clerk of Court

of Abbeville County. The result of the election shall not be open to question except by suit or proceeding instituted within thirty days from the filing of such certified copy of the resolution of the county board declaring the result of the same.

SECTION 5. Issue bonds if election favorable.—If the election shall result favorably but not otherwise, the county board shall be empowered, as hereinbefore authorized, to issue not exceeding five hundred fifteen thousand dollars of general obligation bonds of Abbeville County, or so much thereof as may be necessary and permitted by constitutional debt limitations applicable to Abbeville County.

SECTION 6. Issue — maturity — redemption — interest.—The bonds may be issued either as a single issue or from time to time in several separate issues. Each issue of bonds shall mature serially in successive annual instalments of such amounts as may be determined by the county board. The maturity date of the first installment of any series shall be not later than two years after the date of such series, and the maturity date of the last instalment of such series shall be not later than twenty-five years from the date of such series. The bonds may contain a provision permitting their redemption prior to their stated maturity at such premiums as shall be prescribed by the county board. They shall bear such rates of interest as the county board may determine, payable semi-annually, but the interest cost of any issue shall not exceed four and one-half per cent per annum. They shall bear such dates and be payable at such places as the county board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Abbeville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the county board may prescribe.

SECTION 7. Execution.—The bonds shall be executed in the manner the county board shall prescribe.

SECTION 8. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in South Carolina.

SECTION 9. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Abbeville County in a special fund, separate and distinct from all other funds, and shall be expended for the following purposes:

(1) The accrued interest, if any, shall be applied to meet the first installment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first instalment of principal to become due.

(3) The principal proceeds shall be expended upon the order or warrant of the Board of Trustees of the Abbeville County Memorial Hospital as constituted by Act No. 780 of 1928 for:

(a) the cost of issuing the bonds; and

(b) constructing and equipping a new hospital building for Abbeville County.

If any moneys shall remain after making the foregoing applications, the same shall be applied to the retirement of bonds issued pursuant to this act. No purchaser or subsequent holder of any of the bonds shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

SECTION 10. Payment.—The full faith, credit and taxing power of Abbeville County shall be pledged for the payment of the bonds and interest, and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in Abbeville County sufficient to pay such principal and interest as the same respectively mature.

SECTION 11. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 12. Powers of trustees.—The Board of Trustees of the Abbeville County Memorial Hospital, established by the act of 1928, shall be empowered as follows:

(1) To adopt and use a corporate seal;

(2) To adopt such bylaws, rules and regulations for the conduct of business and the expenditure of its funds as it may deem advisable;

(3) To acquire a site within the county and to construct and equip a hospital thereon;

(4) To acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property;

- (5) To accept gifts, grants, donations, devises and bequests;
- (6) To adequately staff and equip any hospital that it may operate;
- (7) To provide teaching and instruction programs and schools for nurses, hospital technicians, and physicians during internship and residency;
- (8) To employ such personnel as it may deem necessary for the efficient operation of its hospital facilities;
- (9) To establish and promulgate reasonable rates for the use of the services and facilities afforded by its hospital;
- (10) To promulgate reasonable regulations concerning the use of the facilities maintained by the board of trustees, including reasonable rules governing the conduct of physicians, nurses and technicians while on duty or practicing their profession in the facilities maintained by the board of trustees and the determination of whether patients presented to the hospital for treatment are subject to charity and to fix compensation to be paid by patients other than those unable to assist themselves;
- (11) To the extent that funds may be available, to operate and maintain a charity ward and free services for residents of the county who are destitute and unable to pay for needed hospitalization;
- (12) To expend the proceeds derived from the charges made for the use of the services and facilities of the hospital for operation and maintenance thereof;
- (13) To determine the fiscal year upon which the affairs of the board of trustees shall be conducted;
- (14) To expend any funds received in any manner, including the proceeds derived from the bonds herein authorized, to defray the costs incident to constructing and equipping a new hospital;
- (15) To apply to the Federal Government and any other governmental agency for grants of moneys to aid in the construction and equipping of any hospital and to accept any such grants;
- (16) To accept and expend any sums contributed by Abbeville County or other political units under such conditions as may be imposed upon such contributions; and
- (17) To do all other acts or things necessary for the proper functioning of the hospital.

SECTION 13. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R994, S643)

No. 1019

An Act To Authorize The Abbeville Water Authority To Pay A Portion Of The Amount Required For Extending A Water Line From The Corporate Limits Of The City Of Abbeville Into The Unincorporated Territory Of The County, And To Provide Funds Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Abbeville Water Authority may receive money from the Abbeville County bond account.—There is hereby appropriated to the Abbeville Water Authority the sum of sixty-two thousand seven hundred eighty-one dollars and eighty-seven cents from the county bond account of Abbeville County to be used for the purpose of defraying expenses of a portion of the cost of extending a water line from the corporate limits of the City of Abbeville into the unincorporated territory of the county.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1072, H2531)

No. 1020

An Act To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, For Abbeville County, And To Direct The Expenditure Thereof, And Otherwise Relating To The Fiscal Affairs Of Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Auditor of Abbeville County is hereby authorized to levy a sufficient millage on taxable property of Abbeville

County to meet the appropriations herein made for the fiscal year beginning July 1, 1962, and ending June 30, 1963. There is hereby appropriated from the General Fund of Abbeville County the following sums for the following purposes:

ITEM A. SALARIES:

Auditor	\$ 1,288.00
Clerk to Auditor	2,400.00
Treasurer	1,288.00
Clerk to Treasurer	2,400.00
Sheriff	3,993.00
Assistant Jailor to Sheriff	363.00
Three Deputy Sheriffs at \$3,751.00 each	11,253.00
Tax Collector	3,993.00
Travel Expense, Tax Collector, etc.	500.00

Provided, the above shall be paid by order of the County Board of Commissioners upon an itemized and verified claim of Tax Collector, not exceeding in any one month one-twelfth of the total allowance for the twelve months. *Provided*, further, that the claim shall be approved by the Abbeville County Delegation, and in no event shall the total amount expended exceed the sum of \$500.00 for the fiscal year 1962-1963.

Supervisor	3,993.00
Clerk to Board	2,400.00
County Commissioners (2) \$399.30 each	798.60
Board of Education	792.00
Clerk of Court	3,993.00
Assistant to Clerk of Court	2,400.00
Judge of Probate	3,993.00
Clerk to Judge of Probate	2,400.00
Coroner	471.90
Clerk to Board of Registration, Abbeville County	242.00
Board of Equalization, if so much be necessary	1,100.00
Vital Statistics	200.00
Abbeville County Service Officer, payable in monthly installments, for expense	1,300.00

Total \$ 51,560.90

ITEM B. COURT EXPENSES:

Jurors and Witnesses\$ 5,000.00

Provided, that jurors for the Court of Common Pleas and General Sessions shall be paid at the rate of \$5.50 per day.

Magistrates' Courts:

Abbeville 1,815.00

Donalds 287.50

Due West 287.50

Calhoun Falls 544.50

Lowndesville 287.50

Diamond Hill 287.50

Constables:

Donalds 287.50

Due West 287.50

Calhoun Falls 431.24

Lowndesville 287.50

Diamond Hill 287.50

Lunacies, Post Mortems and Inquests 600.00

Sheriff to serve civil and criminal papers. In the event that the Coroner of Abbeville County is sick, or otherwise disqualified, the Magistrate of Abbeville County shall hold post mortems and inquests without compensation.

Total\$ 10,690.74

ITEM C. PUBLIC OFFICERS:

Printing, postage and stationery\$ 3,000.00

Telephone and telegraph, courthouse and phones of other county officials, twelve, if so much be necessary 1,000.00

County Health Unit, if so much be necessary, for use by the County Health Department in carrying on proper health program to be agreed upon by the County Legislative Delegation and the State Board of Health 9,700.00

Premiums of Bonds of County Officers and Recording same 1,200.00

Total\$ 14,900.00

ITEM D. PUBLIC BUILDINGS:

Janitor—Courthouse	\$ 1,200.00
Water, heat, lights, supplies for janitor	2,000.00
Insurance	1,400.00
Total	\$ 4,600.00

ITEM E. SPECIALS:

Cost of installation or rental of Mobile Telephone Service for the law enforcement department of the county under the supervision of the Sheriff. If unable to install rent will not exceed \$2,200.00 for fiscal year 1962-1963..		\$ 2,200.00
Abbeville Hospital		22,000.00
Payable to Abbeville Hospital \$1,833.33 at the end of each month beginning July 1, 1962. <i>Provided</i> , that the sum appropriated for the Abbeville Memorial Hospital may be reduced by the amount accruing to the county from State revenues allocated for hospitalization.		
Auditing Books for Abbeville County	500.00	
Contingent Fund	12,500.00	
Treasurer, Abbeville County Library Association	3,000.00	
To be used by the Abbeville County Library Association, payable \$216.00 per month at the end of each month beginning July 1, 1962.		
Girls' Four-H Club Work	100.00	
Boys' Four-H Club Work ..	100.00	
Home Demonstration Agent Supplies	60.00	
Extra Clerical Work in office of Clerk of Court during sessions of court, etc., payable monthly under the direction of the Clerk of Court		300.00
Stamps and stationery for Abbeville County Treasurer, if so much be necessary, for mailing statements due by taxpayers		500.00
Chairman of the Finance Committee, Abbeville County Public Library, located in the City of Abbeville, Abbeville County, S. C., to be used for library purposes		1,500.00
Commander, Medical Detachment 51st Div. Art.	400.00	

Company Commander, Service Battery 178 F. A. Bn., Abbeville, S. C.	1,000.00
American Legion Commander, American Legion Post No. 72, Calhoun Falls, S. C., and Auxiliary	400.00
Abbeville American Legion	200.00
South Carolina Retirement System, County's part	2,000.00
Social Security, County's part	2,000.00
Treasurer, F.F.A., Camping Trip	100.00
Treasurer, Abbeville County Council of Boy Scouts	150.00
Treasurer, Girl Scouts	200.00
Secretary to Home Demonstration Agent, payable \$20.00 per month, beginning July 1, 1962	240.00
School Room Supervisor, Expense Account, payable \$10.00 per month, beginning July 1, 1962	120.00
For the purpose of establishing facilities for research, planning and development for the benefit of the entire county, there is hereby appropriated the sum of \$10,960.00 to be paid out for this purpose at the direction of the County Delegation	10,960.00
County Board of Education, School Lunch, for freight and storage on commodities, if so much be necessary, etc.	500.00
T. B. Association for upkeep, repair or replacement of equipment, if so much be necessary	150.00
County Agent:	
Stamps	\$35.00
Telephone	25.00
Soil Sample Containers	15.00
Girls' Future Homemakers of America, Expenses	150.00
Boys' Future Farmers of America, Expenses	100.00
Total	\$ 61,505.00

ITEM F. JAIL EXPENSES:

Including dieting of Prisoners and Janitor ..	\$ 3,000.00
Lights and Water	200.00
Fuel	500.00
Repairs to automobile, gas and oil for Sheriff ..	1,000.00
<i>Provided</i> , that claims for gas and oil are to be paid monthly and before such claims shall be paid as valid claims against the county, the sheriff must take oath that the gas and oil consumed was used only in the enforcement of criminal law.	
<i>Provided</i> , the jailor shall diet all prisoners in his care and the janitor at one dollar and twenty-five cents per day each. All accounts for dieting of prisoners and the janitor shall be presented, duly attested, to the Board of Commissioners, and by them allowed or rejected.	
Deputy Sheriffs' uniforms, to be bought on the authorization of the county delegation	
	500.00
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Total	\$ 5,200.00

ITEM G. COUNTY HOME AND FARM:

Chaplain and Funeral Expenses	\$ 600.00
The Supervisors and Subsupervisors are given authority to exchange any produce, such as hay, corn, oats, cattle or hogs for fertilizer, ingredients to be used on the County Farm or roads of the county, for the purpose of growing truck for the purpose of feeding prisoners only, and an account to be kept of such transactions and a report to be made to the delegation. All other funds received from the sale of livestock and produce shall go into the General Fund of Abbeville County.	
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Total	\$ 600.00

ITEM H. ROADS AND BRIDGES:

Maintenance of Roads and Bridges and purchasing of new road machinery and trucks ..	\$ 61,000.00
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Total	\$ 61,000.00

ITEM I. INTEREST, ETC.:

Interest on County indebtedness	\$	1.00
Total	\$	1.00

ITEM J. PUBLIC WELFARE:

To pay Abbeville County Department of Public Welfare for use as an emergency fund payable on the order of the County Board of Public Welfare	\$	1,000.00
<i>Provided</i> , that no payment shall exceed the sum of \$25.00 to any one family or person.		
Abbeville County Department of Public Welfare for use as Physician's Fee Fund, payable on order of the County Board of Public Welfare		600.00
<i>Provided</i> , that no physician's fee shall be expended except to call on persons on the relief roll of Abbeville County who are unable to attend the clinics provided by Abbeville County Health Department.		
Abbeville County Department of Public Welfare, for office supplies		100.00
Abbeville County Department of Public Welfare, for one additional clerical worker, payable \$150 per month, beginning July 1, 1962		1,800.00
County Director of Public Welfare, supplemental salary, payable \$30.00 per month, beginning July 1, 1962		360.00
Public Welfare Members (3), payable \$5.00 per month, beginning July 1, 1962		180.00
Each member of Public Welfare Staff, Social Workers, Expense Account—four members \$120.00 each, payable \$10.00 per month, beginning July 1, 1962		480.00
Each member of Public Welfare Staff, Clerical Workers—three members \$120.00 each, payable \$10.00 per month, beginning July 1, 1962		360.00
Total	\$	4,880.00

ITEM K. MISCELLANEOUS	\$	1.00
Total	\$	1.00
ITEM L. County Agent—the sum of \$25.00 per month, beginning the first day of July, 1962	\$	300.00
Rent on Health Clinic at Donalds, S. C., pay- able \$25.00 per month, beginning the first day of July, 1962		300.00
Rent on Health Clinic at Antreville, \$12.00 per month		144.00
Total	\$	744.00
GRAND TOTAL	\$	215,682.64
Less Estimated Revenue Other Than Taxes:		
Road Tax	\$	1,200.00
Income Tax		24,850.00
Liquor Tax		19,875.00
Beer and Wine Tax		5,000.00
Gas Tax		57,250.00
Bank Tax		2,000.00
Insurance License Fees		7,000.00
Fines		10,200.00
Fees		7,550.00
Forestry		9,735.62
Total	\$	144,660.62
TOTAL TO BE RAISED BY TAXATION	\$	71,022.02

SECTION 2. The county commissioners shall have equal authority in county matters with the supervisor; *provided*, that the statement of affairs of the county shall be posted on the bulletin board in front of the courthouse and published in the newspapers as now provided by law; that unless the supervisor publishes the statement it shall be unlawful for the county treasurer to pay the salary of the supervisor; *provided*, that the county treasurer shall pay all county officers monthly instead of quarterly. *Provided*, further, that in the maintenance of county roads the supervisor is hereby authorized to expend not more

than one-fourth of the appropriation during each quarter during the calendar year.

SECTION 3. The Board of Trustees of School District No. 60 of Abbeville County shall prepare a budget for cost of operation of the schools, maintenance of buildings and equipment within the district, and determine the number of mills required to be levied to finance same. They shall then certify at an appropriate date the budget and millage required for the year to the county board of education. The county board of education shall review the budget and recommend millage so submitted, making such changes as the board of education may deem necessary; then, with the advice and consent of the legislative delegation, the county board of education shall certify the millage required to the Auditor of Abbeville County, whereupon the county auditor shall levy the required tax upon all the taxable property within the district, and the Treasurer of Abbeville County shall collect the same in like manner as all taxes are collected, and place the same in the district school account, to be disbursed for the declared purpose in the manner fixed by law.

SECTION 4. The administrative Superintendent of the School System of Abbeville County on the fifteenth day of each month shall file with School District No. 60 of the county a statement showing the amount of monies on hand to the credit of the school district, and the county treasurer shall file with the supervisor, on the fifteenth day of each month a statement showing the amount on hand to the credit of the county.

SECTION 5. The money appropriated above as a contingent fund is to be used and paid out at the direction of the county delegation.

SECTION 6. The various items herein appropriated for the purposes herein specified shall be used exclusively as provided for in this act, and any transfer of funds from one item to another is hereby specifically prohibited, and any officer who violates this provision shall be deemed and considered guilty of malfeasance in office. *Provided*, that the transfer of any of the items may be made by the written consent of the Abbeville County Delegation, and upon such transfers being made, such sum shall be expended only for the purposes designated by such transfers.

SECTION 7. If, owing to the nonpayment of taxes caused by the extension of time for payment of taxes, or otherwise, there shall

not be sufficient funds available for the full payment of the notes executed by the county board to secure the loans for the fiscal year 1961-62, ending June 30, 1962, then in that case the county board is authorized to renew such note or notes for any balance or balances which may be due and unpaid for such time as funds may become available for the payment of same.

SECTION 8. Any unexpended balance in any department, at the end of the fiscal year 1961-62, with all delinquent taxes, other than school taxes, which shall be collected in the fiscal year 1962-63, shall be placed in the contingent fund. The legislative delegation shall direct that this fund be used for county purposes and if it is found that the tax levy can be reduced, the delegation shall instruct the auditor to reduce the same. *Provided*, however, that any unexpended balance in the budget for the County Health Department at the end of the fiscal year 1961-1962 shall be retained by the department and added to the appropriation made herein for the 1962-63 fiscal year for use by the County Health Department in carrying on proper health program to be agreed upon by the County Legislative Delegation and the State Board of Health.

SECTION 9. The Abbeville County Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by Abbeville County.

SECTION 10. The county delegation is hereby authorized and empowered to secure the services of a certified public accountant to make an audit of the county books for the fiscal year 1962-1963, beginning July 1, 1962.

SECTION 11. In the event the county needs legal advice of any sort, then the Abbeville County Delegation shall employ an attorney of its choice and shall pay for such legal advice from the contingent fund for the fiscal year 1962-1963.

SECTION 12. The salaries fixed herein for the clerk of court of common pleas and general sessions and register of mesne conveyances, sheriff, county treasurer, judge of probate and county auditor shall be in full compensation and all fees to be collected by law for items placed in their hands, on and after July 1, 1962, shall be turned over to the county treasurer as provided by Act No. 7 of the Acts of 1935 and Act No. 655 of the Acts of 1936.

SECTION 13. The Abbeville County Delegation may add new items to Item K, Miscellaneous, and transfer from the Contingent Fund, for the payment thereof.

SECTION 14. The supervisor and the county board of commissioners are hereby prohibited from entering into a contract for the county whereby any legal counsel is employed to prosecute or defend any suit in the State, county, or any official thereof, or agree to pay any legal fees to counsel whether authorized by the courts, or not, without having first obtained the written consent of the Abbeville County Delegation.

SECTION 15. The Abbeville County Delegation is hereby authorized and empowered to pay to the members of the Forestry Committee, or any other members of a committee authorized by legislation, meeting during the fiscal year 1962-1963, ending June 30, 1963, the sum of seven dollars and fifty cents per day from the Contingent Fund under Item E; *provided*, however, none of the committee shall be paid for more than twelve meetings during the fiscal year 1962-1963.

SECTION 16. All authorizations for transfers for the 1961-1962 Appropriations Act of Abbeville County to all departments of county government are hereby ratified, confirmed and validated.

SECTION 17. The County Board of Commissioners of Abbeville County is hereby authorized and directed to borrow the sum of seventy-five thousand dollars, if so much be necessary, to be credited to the general county fund, and used for general county expenses in the event that the sums herein appropriated should be insufficient to meet the needs of the county for the period covered by this act.

SECTION 18. Such indebtedness, if created, shall be evidenced by a note and such note shall bear interest at the rate of not to exceed five per cent per annum, shall be payable one year from date, and shall be signed by the chairman and the members of the county board of commissioners.

SECTION 19. The county treasurer is hereby authorized to credit the proceeds of the loan to the general county fund.

SECTION 20. The indebtedness evidenced by the note provided for herein shall be repaid from the proceeds of the tax levy for the fiscal year 1962-1963, beginning July 1, 1962, for Abbeville County.

SECTION 21. No long distance telephone calls shall be charged to

the county except such as are necessary in performing a public duty in connection with the administration of the affairs of the county, and no claim for any such calls shall be approved or paid unless on a verified, itemized claim showing the name of the person making the call, the person to whom the call was made and the date and purpose thereof.

SECTION 22. All purchases made by any of the officials of Abbeville County exceeding the sum of two hundred fifty dollars shall be submitted for bids and shall be approved by the Abbeville County Delegation.

SECTION 23. All gasoline used by the Sheriff's Department will be supplied from the tank at the Abbeville County Farm. At the time any gasoline is pumped from the tank and oil furnished, the same shall be signed for by the party getting the gasoline or oil at the fueling place. In case there should be an emergency on the road, then the Sheriff's Department is permitted to purchase gasoline and oil and furnish an itemized statement for same.

SECTION 24. Any necessary expenses incurred by the legislative delegation pertaining entirely to county business will be reimbursed out of the contingent fund by furnishing the supervisor with a statement of expenditures.

SECTION 25. All appropriations made herein and all unappropriated and unpledged surplus funds in the hands of the Treasurer of Abbeville County are subject to the right and authority of the Senator and a majority of the members of the delegation to alter, increase or deduct therefrom at any time, when, in their judgment, such alterations, increases or deductions are necessary for the best interest of the county and to conform with the revenue expected during the life of this act. All surplus funds resulting from unused appropriations may be transferred to the contingent fund, and the contingent fund is to be used and paid out at the direction of the Senator and a majority of the members of the House delegation as set forth hereinabove.

SECTION 26. In order to effect the payment of the principal and interest of the outstanding Road Improvement Bonds of Abbeville County maturing on June first in the years 1963, 1964, 1965 and 1966, the treasurer shall set apart in a special fund the aggregate of all sums to become due by way of principal and interest on such bonds, and shall thereafter transfer to the general fund of the county

any surplus in the special sinking fund set up for the payment of these bonds and other bonds, it having been found that the payments thus made will discharge in full all sums due by Abbeville County for principal and interest of all bonds of Abbeville County to be outstanding after July 1, 1962.

SECTION 27. The records pertaining to the business of Abbeville County shall be open to inspection by any member of the legislative delegation.

SECTION 27-A. There is hereby appropriated from the general fund of the county the sum of forty-two dollars and eighty-five cents, to be refunded to Chester Fleming by the county board of commissioners, immediately upon the approval of this act, being the price paid and taxes on a tract of land conveyed to him by the Forfeited Land Commission, for which the commission did not have title.

SECTION 28. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1139, H2525)

No. 1021

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Aiken County For The Fiscal Year Beginning July 1, 1962, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There shall be levied a tax upon all the taxable property of Aiken County for ordinary and special county purposes for the fiscal year beginning July 1, 1962, and ending June 30, 1963, sufficient to meet the amounts hereinafter appropriated, after deducting therefrom the estimated revenue accruing from sources other than the ordinary county taxes.

Item 1. Roads and bridges, including county shop, miscellaneous, office supplies and machinery \$126,000.00
Salaries:
Supervisor 6,300.00
Travel Expense of Supervisor 1,800.00
Three Commissioners @ \$2625.00 each 7,875.00

Three Commissioners, Expenses \$1000.00 each	3,000.00
Chief Clerk, Base pay	3,748.50
Clerk, Base pay	3,430.98
Superintendent of County Farm, Base pay	3,307.50
One Machinist, Base pay	3,880.80
Two Machinists (Assistant) @ \$3528.00 each, Base pay	7,056.00
Three Road Foremen @ \$3,307.50, Base pay ..	9,922.50
Three Guards @ \$3,307.50, Base pay	9,922.50
Two Tournapull Operators @ \$3,307.50, Base pay	6,615.00
Six Road Patrols @ \$3,114.56, Base pay	18,687.36
Permanent Depreciation Fund for replacement of machinery	15,000.00
Total, Item 1	<u>\$226,546.14</u>

Provided, that services of all equipment operators, when such machinery is under repairs, shall be used in other work at the direction of the commissioners and supervisor.

Provided, further, that the appropriation herein provided under Item 1, Section 1, or so much thereof as may be necessary after payment of salaries listed therein, shall be expended for the upkeep and maintenance of the roads and bridges of the county, convict camps, convicts, operation of the county farm, roadworking organizations and payment of all employees who may be engaged for such purposes.

Provided, further, that the supervisor shall have exclusive charge of the county farms and shall keep a record of the cost of operation thereof and all rents derived therefrom, and he shall have exclusive charge of the county convicts while they are confined in the county centralized camp and while they are engaged in work on said farms. The supervisor shall also have exclusive charge and supervision over the personnel necessary to be employed in the operation

of the farm and management of the convict camp, with the right to hire and discharge any such employee. The employment of all guards of prisoners shall be with the approval of the county supervisor, and such guards shall be subject to his authority and control while on duty at the county centralized convict camp. The Supervisor shall inspect all roads and make the same reports required of the commissioners and cooperate with the commissioners in maintaining the roads so as to keep the same in good condition for public use. All monies received from rents and sale of commodities shall be turned over to the treasurer of the county monthly.

Provided, further, the commissioners shall supervise all county road work in their respective districts, and they shall make requisition to the supervisor for such convicts from time to time as the needs of the roads in their respective districts may require; the commissioners shall be responsible for the convicts under their charge while at work, going to and returning from their work at camp. Each commissioner shall keep a daily record of roads worked, showing the location thereof, in their respective districts and the cost of work so performed. And, on Monday of each week, the commissioners shall file their report with the clerk of the county board, which reports shall be kept in the office of the board for inspection by the supervisor and the Legislative Delegation of Aiken County. *Provided*, further, that upon vote of the commissioners and supervisor, as provided by law, the funds hereby appropriated and the county equipment may be distributed as needed, regardless of districts.

Item 2.	Clerk of Court, Salary	\$ 6,300.00
	Chief Clerk, Base pay	3,748.50
	Clerk, Base pay	3,430.98

	Assistant Clerk, Base pay	3,097.50
	Six Clerk Aids @ \$2,986.67, Base pay	17,920.02
	Supplies	8,500.00
	Total, Item 2	\$ 42,997.00
Item 3.	Sheriff's Salary	\$ 6,300.00
	Expenses, Sheriff	1,800.00
	Chief Deputy, Base pay	4,359.29
	Ten Deputy Sheriffs @ \$4,150.91, Base pay ..	41,509.10
	Telephone Expenses, Chief Deputy, Identification Officer, and ten Deputy Sheriffs, \$60.00 each	720.00
	Supplies, Identification Bureau	1,000.00
	Identification Officer, Base pay	4,359.29
	Car Maintenance, gasoline and oil of Deputy Sheriffs, if so much be needed	10,500.00
	<i>Provided</i> , that all cars now owned by Aiken County be used only for official county or state business.	
	Uniforms for Chief Deputy, Identification Officer, and ten Deputy Sheriffs, to be purchased by Aiken County Commissioners	2,400.00
	<i>Provided</i> , that any property owned by Aiken County, for the use of personnel of the Sheriff's office shall be issued to such personnel only upon memorandum receipt for same, specifying the date, individual receiving it, nature of the property being issued, including serial numbers, if any; and in the event such personnel, having been issued county property, should leave the service of the county for any reason whatsoever, such personnel shall not receive his final pay check until all county property issued such personnel shall have been turned in and receipt therefor issued.	
	<i>Provided</i> , that in the expenditure of this appropriation, the county commissioners and supervisor shall be responsible for the expenditures thereof and provide gasoline and maintenance of the automobiles.	

Provided, further, that such county-owned motor vehicles shall be insured in such manner as to make the county blameless in the event of accident to such vehicle or other innocent person or persons.

Provided, further, no deputy sheriff shall accept employment for policing night clubs, dance halls or honky-tonks.

Clerk of Sheriff, Base pay	3,748.50
Assistant Clerk, Base pay	3,097.50
Expenses going after prisoners	1,250.00
Radio Technician @ \$141.00 per month	1,692.00
Radio Supplies	250.00
Supplies, Main Office	1,500.00
Car Expenses, Deputy Sheriffs, Graniteville— five @ \$102.50 per month	6,150.00
Car Expenses, Deputy Sheriffs, Gloverville- Langley-Bath-Clearwater area	3,000.00
One Deputy Sheriff, Montmorenci, Base pay ..	1,509.54
Deputy Sheriffs, Gloverville-Langley-Bath- Clearwater Area, Base pay 3 @ \$4,150.91	12,452.73
Telephone Expenses, Deputy Sheriffs, Glover- ville-Langley-Bath-Clearwater area, three @ \$60.00	180.00
Uniform allowance, Deputy Sheriffs, Gloverville- Langley-Bath-Clearwater area, three @ \$200.00	600.00
Deputy Sheriff, Beech Island-Jackson area, to be selected by Sheriff of Aiken County, Base pay ..	4,150.91
Car Expense, Deputy Sheriff, Beech Island- Jackson area	1,500.00
Telephone, Deputy Sheriff, Beech Island-Jack- son area	60.00
Uniform Allowance, Deputy Sheriff, Beech Is- land-Jackson area	200.00
Permanent Depreciation Fund for replacement of county-owned cars, to be expended on compe- titive bid basis through the office of the super- visor and county commissioners upon the recom- mendation of the sheriff	3,000.00

Total, Item 3\$117,288.86

Item 4. Tax Collector:

Salary	\$ 6,037.50
Chief Clerk, Base Pay	3,748.50
Assistant Clerk, Base pay	3,097.50
Property Record Clerk, Base pay	1,260.00
Expenses of office, including gas, oil, books, etc.	2,250.00

Total, Item 4\$ 16,393.50

Provided, that total appropriations for this item shall be paid from the collections made by the Tax Collector, and any surplus existing thereafter shall be deposited to the credit of the General County Fund and the School Fund in the same proportion as the millage levied that fiscal year for each fund.

Item 5. County Jail:

Superintendent of Buildings, Base pay	\$ 4,150.91
Telephone Expenses, Superintendent of Buildings	60.00
Three Jailers @ \$4,150.91, Base Pay	12,452.73
Telephone Expense, Jailers, 3 @ \$60.00	180.00
Uniform Allowance, Jailers	600.00

Provided, that the jailers shall be appointed by the Sheriff and they shall be commissioned as deputy sheriffs. The Sheriff shall see to it that one of the jailers shall be at the jail at all times. The Superintendent of Buildings shall be appointed by the Supervisor and County Commissioners and shall be in charge of maintenance and upkeep of all county buildings and shall be in charge of the dieting of prisoners.

Jail expenses, including dieting of prisoners ... 8,500.00

Provided, that this fund of \$8,500.00, or so much thereof as may be necessary, is to be expended by the Superintendent of Buildings with the approval of the Supervisor in paying the actual expenses incurred in maintaining the jail and in dieting prisoners, and such expenses shall be paid by the Treasurer of Aiken County upon

claims approved by the county commissioners and the Supervisor. The Superintendent of Buildings, in operating and maintaining the jail, may employ such cook and other help as he deems necessary and he is authorized and empowered to use the services of persons serving sentence imposed by the courts. The Commissioners and supervisors, when practicable, shall provide crops and meats grown and raised on the County Farm in dieting and feeding the prisoners.

Total, Item 5\$ 25,943.64

Item 6. County Treasurer:

Salary\$ 2,502.00

Provided, that total salary appropriations from state and local funds shall not exceed the sum of \$6,300.00.

Chief Clerk, Base pay 3,748.50

Assistant Clerk, Base pay 3,097.50

Clerk Aid 2,986.67

Extra Clerical Help 3,000.00

Supplies and Miscellaneous 700.00

County Treasurer, travel 250.00

Mailing out tax notices, if so much be necessary . 2,500.00

Total, Item 6\$ 18,784.67

Provided, that the Treasurer of Aiken County is authorized to make such arrangements as he sees fit with the S.P.C.A. with reference to dog tax; and he may accept such proof as he sees fit in lieu of certificates of inoculation. *Provided*, further, that on or before the tenth day of each calendar month the Treasurer of Aiken County shall furnish to each member of the Legislative Delegation and to the Supervisor a statement showing receipts and disbursements of all State, county and school funds for the preceding month, together with a statement showing the

purposes for which cash balances are held, and showing the balance of funds on hand for ordinary county purposes. *Provided*, further, that notices be sent out to each taxpayer prior to October 1, 1962.

Item 7. County Auditor:

Salary	\$ 2,502.00
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Provided, that total salary appropriations from State and local funds shall not exceed the sum of \$6,300.00.

Chief Clerk and Deputy Auditor, Base pay	3,748.50
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Assistant Clerk, Base pay	3,097.50
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Two Clerk Aids @ \$2,986.67, Base pay	5,973.34
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Miscellaneous Supplies	2,400.00
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Board of Equalization	4,000.00
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Auditor, travel	300.00
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Extra clerical help, including assistance to municipalities in preparation of tax maps and for preparing auto and boat registrations	3,000.00
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Total, Item 7	\$ 25,021.34
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Provided, that members of the county board of equalization shall each receive as compensation for his services the sum of \$8.00 per day for the time actually engaged and five cents per mile for necessary travel.

Item 8. Adult Education:

Adult School Work	\$ 7,000.00
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Special Services	1,000.00
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Total, Item 8	\$ 8,000.00
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Provided, that any balance of the adult school fund unused at the expiration of the fiscal year shall be carried forward and expended on order of the Supervisor and Adult Education.

Item 9. Coroner:

Salary	\$ 3,150.00
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Telephone and Supplies	200.00
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Expenses of Coroner	820.00
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Total, Item 9	\$ 4,170.00
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Item 10. Master:

Salary	\$ 6,037.50
Supplies and Maintenance	500.00
Clerk to Master, Base pay	3,748.50
Expenses	600.00
Revolving Fund	700.00
One Clerk Aid @ \$2,986.67, Base pay	2,986.67

Total, Item 10 \$ 14,572.67

Item 11. County Service Officer:

Salary	\$ 5,750.00
Clerk, Salary, Base pay	2,986.67
Travel Expenses	1,000.00
Postage, stationery, equipment	500.00

Total, Item 11 \$ 10,236.67

Item 12. Probate Judge:

Salary	\$ 5,775.00
Chief Clerk, Base pay	3,748.50
Clerk Aid, Base pay	2,986.67
Supplies and new equipment, if so much be necessary	1,500.00
Expense money for handling insane persons ..	200.00

Total, Item 12 \$ 14,210.17

Item 13. Magistrates and Constables:

Magistrates:

Aiken (District No. 1)	\$ 4,273.50
Expenses (Magistrate, District No. 1)	600.00
Windsor (District No. 3)	866.25
Salley (District No. 4)	1,164.24
Wagener (District No. 5)	1,164.24
Wards (District No. 6)	693.00
Oak Grove, (District No. 7)	693.00
Langley (Districts Nos. 10 and 17)	2,772.00
Expenses (Districts Nos. 10 and 17)	600.00
Graniteville (Districts Nos. 8, 9 and 15)	2,772.00
Expenses (Districts Nos. 8, 9 and 15)	600.00
North Augusta (District No. 11)	1,819.13

Beech Island (District No. 12)	1,819.13
Talatha (District No. 13)	1,819.13
Jackson (District No. 14)	1,819.13
Clearwater (District No. 16)	1,819.13
Expenses (District No. 16)	600.00
Supplies for Magistrates	500.00
Constables:	
Aiken (District No. 1)	2,898.47
Expenses (District No. 1)	600.00
Windsor (District No. 3)	635.25
Salley (District No. 4)	635.25
Wagener (District No. 5)	866.25
Wards (District No. 6)	324.56
Oak Grove (District No. 7)	1,050.00
Graniteville (Districts Nos. 8, 9 and 15)	2,772.00
Expenses (Districts Nos. 8, 9 and 15)	600.00
Langley (Districts Nos. 10 and 17)	2,772.00
Expenses (Districts Nos. 10 and 17)	600.00
North Augusta (District No. 11)	1,617.00
Beech Island (District No. 12)	750.75
Talatha (District No. 13)	750.75
Jackson (District No. 14)	750.75
Clearwater (District No. 16)	1,784.48
Expenses (District No. 16)	600.00

Provided, that the Magistrate's Constable in the Clearwater District shall also serve as policeman for the community of Belvedere.

Provided, further, that the Magistrate's Constable at Oak Grove (District No. 7) shall also serve as policeman for Oak Grove-Monetta area.

Total, Item 13	\$ 46,401.39
Item 14. Department of Public Welfare:	
Director's Salary	\$ 420.00
Chairman of Board	840.00
Three Supervisors @ \$240.00	720.00
Vice-Chairman of Board	735.00
Twelve Caseworkers @ \$120.00 each	1,440.00
Mileage, Child Welfare Workers	1,920.00
Five Stenographers @ \$120.00	600.00

	Secretary of Board	735.00
	Two Board Members	1,470.00
	Emergency Drugs for indigent patients	3,500.00
	Emergency Relief	1,500.00
	<hr/> Total, Item 14	<hr/> \$ 13,880.00
Item 15.	County Farm Agent:	
	Salary, County Agent	\$ 400.00
	Salary, Assistant County Agent	200.00
	Stenographer for Agent	525.00
	Boys' 4-H Club Work	150.00
	Contingent Fund for Agent	25.00
	<hr/> Total, Item 15	<hr/> \$ 1,300.00
Item 16.	County Home Agent:	
	Salary	\$ 200.00
	Stenographer for Agent and Assistant Agent ..	2,662.54
	Contingent Fund for Agent	25.00
	Girls' 4-H Club Work	150.00
	Supplies, Home Demonstration Agent	150.00
	<hr/> Total, Item 16	<hr/> \$ 3,187.54
Item 17.	Negro Farm and Home Agent:	
	Salary, Negro Home Demonstration Agent ...	\$ 777.00
	Demonstration Supplies. (Agriculture Agent and Home Demonstration Agent)	100.00
	Salary, Negro County Agent	410.00
	Negro County Agent, Office Rent, Heat and Lights	276.00
	Negro 4-H Club Work (Boys and Girls)	150.00
	Telephone	163.80
	Clerical Assistance, Negro Farm and Home Agents	1,200.00
	<hr/> Total, Item 17	<hr/> \$ 3,076.80
Item 18.	Jurors and Witnesses:	
	All expenses, if so much be necessary	\$ 25,000.00
	<i>Provided</i> , that witnesses for the State in crim- inal cases shall be paid at the rate of \$3.00 per	

day and five cents per mile travel; *provided*, further, that any variation from this amount for expert testimony shall be only upon written approval of the Circuit Solicitor.

Total, Item 18	\$ 25,000.00
Item 19. County Health Department:	
Lump Sum Appropriation	\$ 58,000.00
D.D.T. Spraying Program	2,000.00
Total, Item 19	\$ 60,000.00
<i>Provided</i> , that a final budget of combined county, State and Federal funds will be completed as soon after the first of July as possible, and a detailed itemization will then be submitted to the delegation and approved before any of the funds are spent.	
Item 20. Aiken County Hospital:	
All expenses	\$100,000.00
Total, Item 20	\$100,000.00
Item 21. Post Mortems, Inquests and Lunacies:	
All expenses	\$ 1,000.00
Total, Item 21	\$ 1,000.00
Item 22. Public Buildings:	
Water, fuel, lights and insurance:	
All expenses, if so much be needed	\$ 17,500.00
Total, Item 22	\$ 17,500.00
Item 23. Court Stenographer for Second Judicial Circuit \$	300.00
Stenographer, Circuit Judge	600.00
Extra Clerical Help as needed—Magistrate, District No. 1 and Coroner, Base pay	2,310.00
Salary, County Attorney	1,389.15
County Audit, to be expended by Aiken County Commissioners and Supervisor	2,520.00
<i>Provided</i> , that the person employed for the County Audit shall be so employed for the fiscal	

year commencing July 1, 1962, and ending June 30, 1963, and so far as is practicable he shall maintain a current audit.

Aiken County Library 36,600.00

Provided, that this appropriation shall be deemed to be minimal and tentative, and that the final appropriation for the Aiken County Library and all expenditures therefrom, shall be in accordance with a budget prepared by the Aiken County Library Board after taking into account the availability of all funds from all sources, including Federal, State, Aiken County, Edgefield County and Barnwell County; and *provided*, further, that such budget must be first approved by a majority of the Aiken County Legislative Delegation, including the Senator.

Vital Statistics 600.00

Premium on Officers' Bonds 1,250.00

Aiken Soil Conservation District:

Promotional Work and part time secretarial help 2,000.00

Rent for Negro Soil Conservationist 240.00

County Officers' Retirement Fund 10,000.00

Expenses, Solicitor, including telephone at courthouse 1,000.00

Court Crier and other attaches, \$14.00 per day for actual services during court sessions.

Assistant Clerk of Court, \$18.00 per day for actual work.

Provided, that compensation for Court Crier and Assistant Clerk of Court and other court attaches shall be paid out of appropriation for Jurors and Witnesses.

Assistant Rabies Control Officer, Salary, Base pay 4,150.91

Telephone for Rabies Office 60.00

Uniforms, Rabies Control 200.00

Expenses, truck, gas, etc., Rabies Control 500.00

South Carolina Industrial Commission Insurance, if so much be necessary 3,000.00

Expenses, County Forester 876.00

Supplement, County Forest Wardens, 4 @ \$50-.00 per month	2,400.00
Supplement, County Forest Tractor Operators, 2 @ \$25.00 per month	600.00
Supplement, County Forest Ranger, 1 @ \$30.00 per month	360.00
Expenses, Probation Officer @ \$35.00 per month	420.00
Aid to Warrenville Armory	1,000.00
Telephone, Corporal and Patrolmen, Highway Department	720.00
Sinking Fund Commission	3,000.00
Social Security	10,000.00
Insurance, Police Cars	1,661.86
Artificial Limb (1/4)	500.00
Aiken County Historical Commission	800.00
Board of Registration	1,635.00
Total, Item 23	\$ 90,692.92
Item 24. Burial of Paupers	\$ 500.00
<i>Provided</i> , that no person after the passage of this act who dies as a pauper shall be buried at what is commonly designated the County Poor Farm, but the supervisor and county commissioners are authorized, empowered and directed to bury such person in a recognized cemetery with such appropriate interment rites as may be considered appropriate, and a quarterly report of all persons buried listing names and itemized funeral expenses shall be sent to the Aiken County Legislative Delegation.	
Total, Item 24	\$ 500.00
Item 25. Aiken County Commission for Higher Education	\$ 10,000.00
Total, Item 25	\$ 10,000.00
Item 26. Civil Defense Program, if so much be necessary	\$ 6,000.00
<i>Provided</i> , that as soon as practicable after July 1, the Aiken County Director of Civil Defense	

shall prepare and submit for the approval of a majority of the Aiken County Delegation, including the Senator, a budget for the expenditure of the above amount and such Federal matching funds as are available, and no expenditure under this item shall be made except in accordance with such approved budget.

Total, Item 26\$ 6,000.00

GRAND TOTAL\$902,703.31

Provided, that as of the effective date of this act, the amounts hereinbefore designated as base pay shall be increased as follows:

Retroactive to July 1, 1960, any employee of Aiken County not to include Magistrates, Constables and/or elected officials, who is entitled to receive as compensation for service rendered a salary designated hereinbefore as base pay, and who, on or after July 1, 1960, shall have also completed at least ten years of service as an employee of Aiken County, shall receive as additional compensation an amount equal to ten per cent of the base pay salary hereinbefore designated for such position of employment. *Provided*, that any such employee who, on or after July 1, 1960, has completed at least five years of such service shall receive as additional compensation an amount equal to five per cent of such base pay salary.

Provided, further, that in computing length of service for those employees of Aiken County engaged in law enforcement any and all prior service in law enforcement performed in Aiken County by such persons in the course of employment by the State of South Carolina or any political subdivision thereof, shall be considered as prior service performed while an employee of Aiken County.

Provided, further, that in computing length of service hereunder and retroactive to January 1, 1961, any employee of Aiken County who shall have been an employee of Aiken County at any time during the period from January 1, 1937, through December 31, 1948 and while Aiken County department heads were on a fee basis rather than on a salary basis, shall be entitled to credit for service performed during said period, upon the filing with the Supervisor and County Commissioners of a written, signed statement setting forth in such detail as shall be required by the Supervisor and County Commissioners, the dates and places of such employment together with the general nature of duties performed.

Provided, that a majority of the Aiken County Legislative Delegation, including the Senator, may make changes or alterations in the terms of this act whenever in their judgment circumstances so justify; and

Provided, that a majority of the Aiken County Legislative Delegation, including the Senator, and a majority of the Board of County Commissioners may together by written authorization direct the transfer of any general fund monies in excess of the appropriations hereinbefore made from said General Fund of Aiken County for application to unforeseen emergency situations which might arise in connection with the conduct of the affairs of Aiken County.

Provided, all such written authorizations, whether heretofore or hereafter made, are hereby ratified, but such shall not be valid until a copy of same be filed with the clerk of court. *Provided*, further, that no such written authorization providing for the expenditure of funds shall be made except in cases of emergency and then only in a meeting held by the entire delegation.

Provided, no alterations of the act shall be made

by anyone during the year 1962-1963 not herein expressly provided for, and any expenditures in excess of amounts herein provided, if made without the prior written approval of a majority of the Aiken County Delegation, including the Senator, shall be the personal responsibility of the department head concerned, and shall *ipso facto* constitute sufficient cause for the removal from office, with forfeiture of pay, of such department head.

Less Estimated Revenue other than Taxes:

Delinquent Taxes from Tax Collector	\$ 55,000.00
Fines, Licenses, Fees and Miscellaneous	136,000.00
Gasoline Tax	199,000.00
Insurance License Fees	45,000.00
Alcoholic Liquor Tax	59,000.00
Beer and Wine Tax	15,000.00
Income Tax	70,000.00
Bank and Broker's Tax	6,089.82
County Service Officer	5,600.00
Tax Collector's Cost	3,855.82

Total Revenue Other Than Taxes\$594,545.64

\$308,157.67

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R984, H2540)

No. 1022

An Act To Provide For The Levy Of Taxes For Allendale County For School And County Purposes For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963; To Provide For The Expenditure Thereof; To Provide For The Amount Of Fees And Expenses To Be Allowed For County Offices; To Provide For The Fees To Be Charged By The Clerk Of Court; And

To Provide For The Disposition Of Revenue To Be Derived From Current Levies, Contributions, Revenues, Forfeited Land And Delinquent Tax Executions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The County Auditor of Allendale County is hereby directed to levy a tax upon all the taxable property of Allendale County for the fiscal year 1962-1963, in a sufficient number of mills to provide for the payment of the items and expenditures hereafter set forth.

SECTION 2. The following amounts are hereby appropriated for the fiscal year 1962-1963 :

(A) Road and Bridges :

(1) Chain gang and maintenance of road work, salary of guard, material, lumber, and all ex- penses, repairs of roads and bridges	\$ 22,000.00
	<hr/>
	\$ 22,000.00

(B) Salaries :

(1) Clerk of Court	\$ 1,600.00
Expenses	300.00
(2) Sheriff	5,600.00
Expenses	1,800.00
Deputy Sheriff	4,200.00
Expenses	1,200.00
Police Radio Operator	600.00

Provided, that the Deputy Sheriff shall be appointed by the Sheriff and shall serve at the pleasure of the Sheriff. *Provided*, that the salary and other compensation herein fixed for the Sheriff's office is intended for and shall be in lieu of all fees to which he is entitled under the law from the county for any and all services performed by him of whatever nature or kind. In the event he travels out of the county by way of train, plane or bus, he shall be allowed actual train, plane or bus fare, and actual cost of meals and lodging.

(3) Treasurer	1,600.00
Expenses	300.00

(4) Auditor	1,600.00
Expenses	300.00
(5) Judge of Probate	1,600.00
Expenses	300.00
<i>Provided</i> , that the salary for the Judge of Probate is in lieu of all fees to which he is entitled under the law from the county.	
(6) Superintendent of Education—Expenses, 1962-1963	1,200.00
<i>Provided</i> , that the county board of directors is hereby directed to transfer in a lump sum the appropriations for the county superintendent's office to the county board of education fund. The purpose of this transfer is to put the county superintendent's salary and expenses on the school payroll rather than the county payroll.	
(7) Attorney—retainer	400.00
<i>Provided</i> , the county attorney shall advise the tax collector, when called on, in all matters pertaining to the collection of delinquent taxes.	
(8) Coroner	600.00
<i>Provided</i> , that the salary herein provided for coroner shall be in lieu of all fees to which he is entitled from the county for any service whatsoever.	
(9) Tax Collector—salary and expenses	1,200.00
(10) Courthouse Stenographer—salary	2,600.00
Courthouse Stenographer—expenses	300.00
(11) Janitor for Courthouse and Memorial Building @ \$135.00 per month	1,620.00
	<hr/>
	\$ 28,920.00

(C) County Health Department:

(1) Expenses, County Health Nurse	\$ 360.00
(2) Operating expenses	3,224.00
(3) T. B. Inspection Work	400.00
	<hr/>
	\$ 3,984.00

(D) Magistrates and Constables:

Magistrates:

Allendale and Bull Pond	\$ 1,200.00
Fairfax	1,200.00
Baldock Township	600.00
Millette Township	600.00
Wilson Township	600.00
Sycamore Township	600.00

Constables:

Allendale and Bull Pond	900.00
Fairfax	900.00
Millette Township	300.00
Baldock Township	300.00
Wilson Township	240.00
Sycamore Township	240.00

\$ 7,680.00

Provided, the salaries herein appropriated for magistrates and constables are in lieu of all fees payable by the county to which they, or either of them, be entitled; *provided*, further, magistrates and constables shall give bonds in the sum of five hundred dollars, conditioned upon the faithful performance of their duties.

(E) County Boards:

(1) Board of Equalization	\$ 300.00
(2) County Board of Directors, four at thirty-five dollars per month	1,680.00
Clerk to County Board of Directors—salary ...	2,400.00
Expenses	1,200.00

Provided, that the person filling the above position shall be required to give a surety bond in the sum of one thousand dollars, premium on same to be paid by the county.

\$ 5,580.00

(F) Jail:

(1) Expenses, dieting of prisoners and maintenance .	\$ 9,500.00
(2) Jailer, salary	1,500.00

\$ 11,000.00

(G) Court Expenses:

(1) Jurors and witnesses, and Sheriff's fee for notice \$ 1,200.00

\$ 1,200.00

(H) Department of Public Welfare, if so much be necessary

\$ 1,500.00

\$ 1,500.00

(I) Public Buildings, including water, fuel, light and insurance, if so much be necessary

\$ 6,000.00

\$ 6,000.00

(J) Printing, Postage and Stationery, Telephone and Telegraph

\$ 6,000.00

\$ 6,000.00

(K) County Hospital, if so much be necessary

\$ 10,000.00

\$ 10,000.00

(L) Miscellaneous:

(1) Vital Statistics \$ 280.00

(2) Publishing Monthly Report 300.00

(3) Rent, Government Farm Office 180.00

(4) Premium on bonds, including constables 700.00

(5) Post mortems, Inquests and Lunacies 800.00

(6) Regional Library 2,738.16

(7) Fairfax Library 300.00

(8) County Library 800.00

(9) Girls'-Women's Short Courses 75.00

(10) Boys' 4-H Club 75.00

(11) Expenses, Home and County Demonstration Agent 150.00

(12) Clerk to Home Demonstration Agent—salary 1,500.00

(13) Clerk to Home Demonstration Agent—expenses 460.00

(14) Attendance Teacher Scholarship Fund 100.00

(15) Office Expense, County Farm Agent 150.00

(16) Expenses, Home Demonstration Agent (Colored) 480.00

(17) Retirement Contribution, Social Security and Police Retirement and Annuity 4,500.00

(18) Expenses, County Farm Agents	900.00
(19) Workmen's Compensation and Liability Insurance	700.00
(20) Service Officer, Office Expense	300.00
(21) Civil Defense	2,500.00
(22) Janitorial Supplies	300.00
(23) Allendale County Development Board	2,500.00
	<hr/>
	\$ 20,788.16
(M) National Guard, if so much be necessary, as follows:	
(1) Maintenance	\$ 2,000.00
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	\$ 2,000.00
(N) Audit of county funds, including Magistrates	\$ 1,550.00
	<hr/>
	\$ 1,550.00
(O) Contingent Fund	\$ 10,000.00
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	\$ 10,000.00
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GRAND TOTAL	\$138,202.16
LESS ESTIMATED REVENUE OTHER THAN TAXES:	
Commutation Road Tax	\$ 2,000.00
Fines and Licenses	15,000.00
Income Tax	14,000.00
Gasoline Tax	50,000.00
Ordinary Levy	1,000.00
Liquor Tax	8,000.00
Beer and Wines	2,000.00
Insurance, Bank and Miscellaneous	4,200.00
Cost of Tax Executions	1,000.00
	<hr/>
Total Estimated Revenue	\$ 97,200.00
	<hr/>
Amount to be raised by Taxation	\$ 41,002.16

SECTION 3. The amount of commutation tax which shall hereafter be levied in Allendale County shall be the sum of two dollars per person subject to such tax. Persons actually in the armed service

of the country shall, during such service, be exempt from payment of such road tax.

SECTION 4. The costs and expenses of the levy, advertising and sale of lands heretofore or hereafter purchased by the Forfeited Land Commission, under tax sale, shall be paid by the treasurer on warrants of the county board, approved by the county delegation, out of any funds available therefor; *provided*, that the proceeds of the sale of lands sold by the Forfeited Land Commission shall be chargeable with all such costs and expenses, and, if such claims are paid from funds not so realized, then all amounts paid from the general county fund shall be replaced from sales of land when made by the Forfeited Land Commission.

SECTION 5. The sums hereinabove appropriated shall be used only if so much be necessary as to each item hereinabove provided for; *provided*, that any unexpended balance of any appropriation for any particular item may be applied to any other item, or items, for which the amount appropriated is insufficient, or may be used for such other expenditures as shall be approved in writing by the legislative delegation.

SECTION 6. In anticipation of the collection of taxes herein provided for, the county board of directors and the treasurer, with the approval of the legislative delegation, are authorized and empowered to borrow on the credit of the county such sums as are necessary to carry out the provisions of this act, and to pledge current taxes in payment therefor. Such obligations shall be signed by the treasurer and the chairman of the county board of directors, attested by the clerk of such board.

SECTION 7. The sheriff is authorized to empower such trusty convict labor as he may deem desirable in the care and maintenance of the county jail and premises. The county board of directors is hereby authorized to repay all municipalities of the county for chain gang labor received through the courts of such municipalities by work of the county chain gang upon the streets and drainage of such municipalities. *Provided*, that such municipalities shall pay for the dieting of all prisoners while so engaged in work upon the streets or drainage of such municipalities, and shall be liable for any damage to persons or property caused by the use of such convict labor and machinery, and the county shall not in any way be responsible for such damage.

SECTION 8. Whenever it shall be necessary to meet the expenses of foreclosing of any real estate mortgage owned by or pledged with the county, or to buy in such property on behalf of the county, the payment of such expense shall be made from the contingent fund, or other available funds, and the rents received from such property shall be carried to the general county fund, or restored to the contingent fund in the discretion of the legislative delegation. Such property may be sold by the county board on the written approval of the legislative delegation, the proceeds of sale to be applied to such account or placed in such fund as the legislative delegation may direct, or as provided in Section 4 of this act.

SECTION 9. The legislative delegation is hereby granted full power and authority to appropriate such additional sums as in its discretion may be deemed necessary for any purpose not herein provided.

SECTION 10. The fee that may be charged by the Clerk of Court for Allendale County for the recording, filing, indexing, and/or registering of any mortgage or other instrument conveying a lien on crops growing or to be grown and/or personal property and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, or the Government of the United States or any department, agency, instrumentality, or officer thereof, shall be one dollar (\$1.00); *provided*, that a copy or duplicate of such instruments be furnished to the recording officer. Allendale County is specifically excepted from the provisions of Sections 27-60, 27-61, 27-66, 60-2 and 60-303, Code of Laws of South Carolina, 1952; *provided*, further, that in addition to the fee hereinabove fixed for recording chattel mortgages, the Clerk of Court for Allendale County may charge an additional fee of twenty-five cents (25¢), when he is required to search the records before recording any such mortgage.

Provided, further, that notwithstanding Section 27-52, Code of Laws of South Carolina, 1952, in Allendale County the Clerk of Court shall receive for recording deeds without dower a fee of \$2.00; deeds with dower a fee of \$2.25; chattel mortgages a fee of \$1.50; and chattel mortgages with assignment a fee of \$2.00.

SECTION 11. All supplies of every kind and nature needed by the county officers and employees of Allendale County shall be purchased

by the purchasing agent of the county. Supplies purchased in violation of the provisions of this act shall be the liability of the individual so purchasing, and shall not be the liability of the county.

SECTION 12. It shall be unlawful for the County Directors of Allendale County to issue any voucher for the salary of any officer herein provided for before the end of the month that such officer is entitled to receive such salary. All salaries are to be paid on a monthly basis.

SECTION 13. Before the county directors shall issue a voucher to any magistrate of Allendale County for his salary, such magistrate shall present his docket to the county board of directors, showing the disposition of all cases handled by him during each month, and also present to the county directors a receipt or receipts from the county treasurer for all fines imposed by such magistrate.

SECTION 14. The Forfeited Land Commission for Allendale County is hereby authorized, empowered and directed to rent all property owned and held by the Forfeited Land Commission of Allendale County and pay the proceeds of all rents so collected to the county treasurer in accordance with the provisions of law now existing, and no fees shall be charged for such services by the Forfeited Land Commission nor by the tax collector.

SECTION 15. The sums herein appropriated as compensation for the county board of directors shall be in lieu of any expense which they incur in inspection of the various county roads, which inspections shall be made semi-monthly by the directors.

SECTION 16. Of the amount appropriated as salaries for municipal law enforcement officers and county law enforcement officers in Allendale County, the sum of five dollars per day for each such officer is hereby designated as subsistence for each day of active duty from July 1, 1957.

SECTION 17. All acts or parts of acts inconsistent herewith are repealed.

SECTION 18. This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R1076, H2541)

No. 1023**An Act To Appropriate The Sum Of Fifteen Thousand Dollars For Improvements To The Allendale County Courthouse And County Office Building.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Appropriation for Allendale County courthouse.—

There is hereby appropriated from the General Fund of Allendale County the sum of fifteen thousand dollars, if so much be necessary, for improvements to the Allendale County Courthouse and County Office Building, to be expended by the County Board of Commissioners with the approval of the Legislative Delegation.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R961, H2476)

No. 1024**An Act To Amend Section 10 Of Act No. 471 Of The Acts Of 1961, Relating To The Powers And Duties Of Watershed Conservation Districts In Anderson County, So As To Allow Such Districts To Acquire Lands, Easements Or Right-Of-Ways Lying Outside The District Or County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subparagraph (1) of Section 10 of Act 471 of 1961 amended—powers and duties—further.—Subparagraph (1) of Section 10 of Act No. 471 of the Acts of 1961, is amended by striking beginning on line three the following: “and Sections 33-121 through 33-148” and by inserting on line five after the words “rights-of-way” the following: “lying either within or without the district or the county”, so that the subparagraph when amended shall read as follows :

“(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way lying either within or without the district or the county as are needed

to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R1098, H2576)

No. 1025

An Act To Validate Certain Appropriations By The Anderson County Legislative Delegation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County appropriations validated.—The appropriations by the Anderson County Legislative Delegation on May 20, 1961 from the general fund of the county of ten thousand dollars to the Anderson County Planning and Development Board and the appropriation by such delegation from the general fund of the county on July 31, 1961 of one hundred thousand dollars to the Road, Bridge and Convict Account are hereby validated and declared to be legal in all respects.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1103, H2585)

No. 1026

An Act To Validate Authorizations Of An Anderson County Legislative Delegation To Transfer Certain Funds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County authorization to transfer certain funds validated.—The authorization of an Anderson County Legislative Delegation to the Treasurer of Anderson County to transfer the sum of one hundred thousand dollars from the Road Bond Retire-

ment Account to the Road Improvement Account and the further authorization to the treasurer to transfer the sum of one hundred thousand dollars from the Road Improvement Account to the Road Bond Retirement Account when funds are available from tax collections which were executed on October 3, 1960 is hereby validated and declared to be legal in all respects.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1183, H2675)

No. 1027

An Act Transferring Two Hundred And Fifty Thousand Dollars From The General Fund Of Anderson County To The Technical Training Center Fund.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County may transfer money to Technical Training Center Fund.—The Treasurer of Anderson County is hereby directed to transfer the sum of two hundred and fifty thousand dollars from the General Fund to an account to be designated "Technical Training Center Fund" which shall be utilized for the county's share in the construction of a Technical Training Center to be located in Pendleton, South Carolina. This money is to be spent by the Commission on Technical Training and Education with the approval of the Anderson County Legislative Delegation, including the Senator.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1227, H2617)

No. 1028

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As

To Permit School District No. 2 Of Anderson County To Incur Bonded Indebtedness Up To Fifteen Per Cent Of The Assessed Value Of The Taxable Property Therein.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution proposed—bonded indebtedness of Anderson County School District No. 2.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: "*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to School District No. 2 of Anderson County and the school district may incur bonded indebtedness for school purposes to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit School District No. 2 of Anderson County to increase its bonded indebtedness up to fifteen per cent of the assessed value of the taxable property therein?"

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment,' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment.' "

A Joint Resolution Providing For The Submission To The Qualified Electors Of Anderson County In The General Election Of 1962 The Question Of Whether Or Not A County Court shall Be Established For Anderson County Or, In Lieu Of A County Court, Extending The Jurisdiction Of The Special Magistrate For The City Of Anderson.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Referendum concerning establishment of county court.—At the general election in November, 1962, there shall be submitted to the qualified electors of Anderson County the questions of whether or not a county court shall be established for the county, or, in lieu of a county court, whether or not the jurisdiction of the Special Magistrate for the City of Anderson shall be increased to ten thousand dollars.

The commissioners of election of the county shall be charged with furnishing ballots in sufficient quantities to all the voting precincts of the county. There shall be printed upon each ballot the following questions :

“Shall a county court be established for the County of Anderson?

YES ☐

NO ☐

Shall the jurisdiction of the Special Magistrate for the City of Anderson be increased to \$10,000.00?

YES ☐

NO ☐

The electors shall vote upon only one question.

SECTION 2. Results.—The commissioners of election shall canvass the ballots provided for in this act in the same manner as other ballots are canvassed and shall declare the results.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1270, H2582)

No. 1030

An Act To Make Appropriations For The Operating Expenses Of Anderson County For The Fiscal Year 1962-1963, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of sufficient mills to pay the appropriations for Anderson County hereafter made for the fiscal year beginning July 1, 1962, and ending June 30, 1963, after crediting against the appro-

priation all other revenue anticipated to accrue to the county during the fiscal year, is hereby levied upon all the taxable property of Anderson County. The amount of millage shall be determined by the county auditor and approved by a majority of the Anderson County Legislative Delegation, including the Senator.

SECTION 2. There is hereby appropriated for Anderson County for the fiscal year beginning July 1, 1962, and ending June 30, 1963, the following sums of money to be expended for the purposes herein set forth, subject to the provisions contained in this act, in amounts as follows:

ITEM A. Roads, Bridges, Convicts and Road Improve-	
ments	\$410,000.00
Total, Item A	\$410,000.00
ITEM B. Public Buildings:	
(1) Salary of Courthouse Janitor	\$ 2,853.42
(2) Utilities, maintenance supplies and Property Insurance	25,225.00
Total, Item B	\$ 28,078.42
ITEM C. County Jail:	
(1) Jailors (6)	\$ 18,104.40
(2) Jail Expense	15,000.00
(3) Matron	2,948.92
(4) Cook	3,243.81
Total, Item C	\$ 39,297.13
ITEM D. Probate Judge:	
(1) Probate Judge	\$ 5,700.00
(2) Clerk	3,347.47
(3) Assistant Clerk	2,600.09
Total, Item D	\$ 11,647.56
ITEM E. Public Offices:	
(1) Books, Stationery, Insurance, etc.	\$ 20,000.00
(2) Workmen's Compensation Insurance	3,725.00
(3) Retirement for County Employees	12,750.00
(4) Social Security	13,635.00

(5) Exchange Charges	200.00
Total, Item E	\$ 50,310.00
ITEM F. Education:	
(1) Superintendent of Education	\$ 890.50
Total, Item F	\$ 890.50
ITEM G. County Health Department	\$ 75,000.00
Total, Item G	\$ 75,000.00
ITEM H. Clerk of Court:	
(1) Clerk	\$ 5,700.00
(2) Clerks: 2 @ \$3,340.66—1 @ \$2,771.08— 4 @ \$2,606.39	19,877.98
Total, Item H	\$ 25,577.98
ITEM I. Sheriff's Office:	
(1) Sheriff	\$ 5,700.00
(2) Thirteen Deputies (@ \$3,579.54 each)	46,533.96
(3) Clothing Allowance, Deputies	10,200.00
(4) Travel Expense	16,000.00
(5) Two Deputies to serve criminal papers—Salaries, \$3,579.54	7,159.07
(6) Two Deputies to serve civil papers—Salaries, \$3,579.54	7,159.07
(7) Clerical Help	2,606.39
(8) Miscellaneous	1,000.00
(9) Radio Engineer's Salary	1,908.00
(10) Radio Supplies	4,000.00
Total, Item I	\$102,266.49
ITEM J. Treasurer's Office:	
(1) Treasurer	\$ 1,852.00
(2) Assistant Bookkeeper	3,227.02
(3) Bookkeeper	4,219.22
(4) Two Clerks @ \$2,722.08	5,444.16
Total, Item J	\$ 14,742.40

ITEM K. Auditor's Office:

(1) Auditor	\$ 1,852.00
(2) Travel	100.00
(3) Clerks: 1 @ \$4,219.22—1 @ \$3,062.34— 3 @ \$2,722.08	15,447.80
(4) County Board of Equalization	6,420.00

Total, Item K

\$ 23,819.80

ITEM L. Tax Collector's Office:

(1) Tax Collector	\$ 4,219.22
(2) Deputy	2,935.76
(3) Travel for Tax Collector, Field Work	400.00
(4) Clerk	2,606.39

Total, Item L

\$ 10,161.37

ITEM M. Supervisor's Office:

(1) Supervisor	\$ 5,700.00
(2) Stenographer	2,935.76
(3) County Commissioners (5 @ \$884.68)	4,423.38
(4) Travel for Commissioners (\$35.00 per month)	2,100.00
(5) Clerk	4,219.22
(6) County Engineer	4,219.22

Total, Item M

\$ 23,597.58

ITEM N. Judicial:

(1) County Attorney	\$ 567.10
(2) Coroner—Salary	1,984.85
Travel	600.00

(Total Coroner—\$2,584.85)

(3) Magistrates:

Earle M. Rice, or successor, Anderson Salary and expense	6,420.00
Bruce Davis, or successor, Anderson	3,130.39
James C. Callahan, or successor, Anderson ..	3,130.39
W. P. Kay, or successor, Belton	1,270.30
Max Hunt, or successor, Townville	714.55
J. W. Holliday, or successor, Pendleton	1,270.30
Johnny Devore, or successor, Honea Path ..	714.55

John Patterson, or successor, Williamston ..	714.55
Henry O. Thompson, or successor, Pelzer ..	714.55
Harry Reid, or successor, Piedmont	839.31
D. L. Young, or successor, Iva	578.44

(Total Magistrates—\$19,497.33)

(4) Constables	14,980.00
(5) Court Expenses	25,000.00
(6) Solicitor's Office—10th Judicial Circuit:	
a. Solicitor—expense allowance	300.00
c. Secretary—salary	2,756.11

(Total Solicitor—\$3,056.11)

(7) Juvenile Relations:	
a. Youth Counselor, salary	4,083.12
b. Travel Allowance	1,500.00
c. Asst. Youth Counselor	3,402.60
d. Travel Allowance	1,200.00
e. Clerk	2,606.39

(Total Juvenile Relations—\$12,792.11)

(8) Parole Office Secretary—Supplemental	238.18
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Total, Item N\$ 78,715.68

ITEM O. Agriculture:

(1) County Agent's Office:	
a. County Agent's Salary	\$ 680.52
b. Assistant County Agent	272.21
c. County Agent, Secretary and Salary	1,070.46
d. Assistant Home Agent	3,129.03
e. Home Agent, Secretary and Salary	963.42
f. Negro Farm Agent	1,134.20
g. Negro Home Agent	1,429.78
h. Negro Home and Farm Agent—Secretary ..	2,534.94
i. County Agent, Telephone and Supplies	550.00
j. Home Agent, Telephone and Supplies	350.00
k. 4-H Club Boys' Camp	150.00
l. 4-H Club Girls' Camp	150.00
m. F.F.A. Camp	100.00
n. J.H.A. Camp	100.00

o. Negro Farm and Home Agent, Telephone and Supplies	300.00
p. Negro 4-H Club Boys' Camp	125.00
q. Negro 4-H Girls' Camp	75.00
r. Free Breeding, 4-H and FFA Clubs	1,000.00
s. F.A. Foundation	300.00

Total, Item O \$ 14,414.56

ITEM P. Health and Welfare:

(1) County Physician	\$ 3,180.00
(2) Birth and Death Registration (Mrs. King, et al)	1,560.00
(3) Welfare Department:	
a. Supplemental Salaries	6,260.78
b. Emergency Relief Fund	1,200.00
c. Child Welfare Worker—Travel	720.00
d. Foster Children Fund	325.00
e. Welfare Board, per diem	720.00
f. Telephone and Telegraph	1,200.00
g. Mental Health Clinic	10,000.00

(Total Welfare—\$20,425.78)

(4) Charity—Anderson County Charity Fund ..	36,000.00
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(Total Charity—\$36,000.00)

(5) Anderson County Tuberculosis	1,200.00
(6) Salvation Army	1,200.00
(7) County Home	30,000.00
(8) Transportation to State Hospital	1,350.00
(9) Post Mortems and Lunacies	1,500.00

Total, Item P \$ 96,415.78

ITEM Q. Miscellaneous:

(1) Legislative Secretary	\$ 300.00
(2) Anderson Soil Conservation District	1,200.00
(3) Service Officer—Supplemental	1,043.46
(4) Annual Audit of County Books	1,200.00
(5) Broadway Lake Commission	10,000.00

(6) National Guard Units:

a. Battery D 6th ADA Bn. (Sp.) 118th CAR, or successor	750.00
b. Hq. and Hq. Battery 6th ADA Bn. (Sp.) 118th CAR, or successor	750.00
c. 116th Signal Company Sub-Div. (Williams- ton) or successor	750.00
d. 116th Signal Company (Belton) or successor	750.00

(Total National Guard \$3,000.00)

(7) Planning and Development Board	150.00
(8) Civil Defense	1,000.00

Total, Item Q\$ 17,893.46

ITEM R. Contingent Fund\$ 50,000.00

Total, Item R\$ 50,000.00

GRAND TOTAL\$1,072,828.71

ITEM S. Revenue other than property taxes
(estimated) :

(1) Fines and Costs (Magistrates)	\$ 70,000.00
(2) Fines, Licenses and Fees, Clerk of Court ..	45,000.00
(3) Fees, Auditor	700.00
(4) Fees, Probate Judge	6,500.00
(5) Fees and Taxes, Tax Collector	30,000.00
(6) Fees, Sheriff	5,000.00
(7) Fees, Supervisor	5,000.00
(8) Gasoline Tax	280,000.00
(9) Income from State	100,000.00
(10) Insurance Commission	65,000.00
(11) Beer, Wine and Liquor Tax	95,000.00
(12) Bank Tax	14,000.00
(13) Miscellaneous	15,000.00
(14) Broadway Lake	4,500.00

Total, Item S\$735,700.00

Estimated amount to be raised by property
tax\$337,128.71

SECTION 3. The accounts as set forth in Section 2 shall be subject to the following provisos:

ITEM A. From this account the county board of commissioners is authorized to pay to the supervisor the estimated expenses of the supervisor's travel in the performance of his necessary duties in the supervision of roads and convicts, not to exceed twelve hundred dollars in accordance with the terms of Section 4 of this act.

No employee paid from this account shall receive more than three hundred five dollars and seventy-eight cents per month, except that the captain of the white stockade shall not receive more than three hundred sixty-eight dollars and sixty-two cents per month.

All truck insurance shall be paid from this account.

ITEM B. (2) Unless specifically provided elsewhere in this act, the county shall pay for telephone service only on telephones installed in the public offices in the courthouse, in the county jail, in the homes of seventeen deputy sheriffs, in the homes of six jailors and the sheriff, with their telephones listed in their names, in the vault of the clerk of court's office, in the County Home, one at each convict camp, one in the home of the coroner, one in the office used by the State Tax Commission, one in the office of the Registration Board, one each for two probation officers, one for the Youth Counselor, one for the Assistant Youth Counselor, one for County Repair Shop, one for Sergeant of White Convict Camp and one for Sergeant of Negro Convict Camp, and it shall not pay for extension telephones at such places, and shall not pay for any long distance calls other than those personally authorized by the Supervisor or the Sheriff.

ITEM C. (2) From this account the Sheriff of Anderson County shall pay only the actual operating expense of the county jail and the dieting of prisoners, and no part of this fund shall be used to supplement any salaries and such expense shall be paid by the Anderson County Treasurer upon claims approved by the Supervisor of Anderson County. *Provided*, that any charges made in compromising a case or any meals served to a federal prisoner shall be at the maximum rate prescribed by law; *provided*, further, that the sheriff is authorized to spend an amount not to exceed five dollars and mileage in any one case from the dusting and photographing of fingerprints.

ITEM E. (1) From this account the supervisor or other proper county officer is hereby authorized to pay the premium on the official bonds required of the thirteen deputy sheriffs of Anderson County, and of the four deputies to serve magistrates in the City of

Anderson, the jailor, and the clerks in the office of the county treasurer and tax collector. The supervisor or other proper county officer is also authorized to pay the premiums on burglary or theft insurance from funds in the custody of the Treasurer of Anderson County.

The county quarterly report, as provided by law, shall be printed in a newspaper of Anderson County and the expense therefor shall be paid from this account. A complete report shall be filed with the clerk of court which shall be available to the general public.

ITEM I. (6) The officers holding these positions shall charge the same fees as now provided by law and shall make monthly reports thereof to the Treasurer of Anderson County through the office of the Sheriff, and deposit such collected fees with the treasurer, who shall place the money in the General Fund of Anderson County.

ITEM K. (4) From this account the county supervisor is hereby directed to pay the members of the Township Board of Assessors immediately upon completion of their work being certified to by the county auditor.

ITEM N. (3) The fees to be collected by any officer of Anderson County for the County General Fund shall be as follows: Distress for Rent, \$2.00; Rule to Show Cause in Ejectment, \$1.00; Warrant of Ejectment, \$1.00; Summons for Debt, including transportation and judgment, \$1.00; Attachment, \$3.00; Claim and Delivery, \$2.00; all Warrants settled by Magistrates, \$2.00, except warrants settled for bad checks, \$5.00, plus seven cents per mile round trip and jail fees of \$1.00 per day while in jail. The Magistrate's fees shall remain the same.

ITEM N. (4) From this account the supervisor and board of county commissioners are hereby authorized to pay the Anderson County Deputy Sheriffs located at mills the sum of \$90.74 per month. The same number of deputy sheriffs shall serve the respective industrial communities as are now employed irrespective of the number allowed by permanent law, unless the aforesaid officials be authorized to employ additional deputies by a majority of the legislative delegation, including the Senator.

ITEM N. (5) From the sum appropriated under Item N (5), designated as "Court Expenses," there shall be paid unto the Grand Jurors, Petit Jurors, and Bailiffs in Circuit Court the sum of seven dollars per day. Grand Jurors and Petit Jurors shall in addition to the aforesaid sum receive ten cents per mile for one round trip from

their home to the Anderson County Courthouse for the term for which they are drawn to serve, and all witnesses appearing in any criminal case under subpoena for attendance thereat, required by South Carolina law to be paid, shall receive the sum of one dollar per day and mileage as is hereinabove fixed for the Jurors. In the Special Magistrate's Court pay for jurors and witnesses shall be at the rate of three dollars per day, and pay for two stenographers shall not exceed the sum of two hundred forty-four dollars and sixty-four cents per month each. Pay for the jurors in ordinary magistrate's court of Anderson County shall be two dollars per day.

For services as jurors in the coroner's inquests each person so drawn and who serves shall receive compensation in the sum of two dollars for each inquest, to be paid out of this account.

ITEM O. (1) -r. This account is to provide for one free breeding for any member of the Anderson County 4-H Club or Anderson County Future Farmers of America.

ITEM P. (2) This account shall be used to pay the various Registrars in Anderson County the sum of twenty-five cents each for each birth and/or death reported, and also Registrar shall receive the sum of \$28.36, to be paid in semiannual installments of \$14.18.

ITEM P. (3) -b. This account shall be paid to the County Welfare Department and the treasurer is hereby directed to pay over to the County Public Welfare Department the entire sum of twelve hundred dollars. At the end of each quarter, the Department of Public Welfare shall file a statement of the expenditure of this fund with the county supervisor, in duplicate.

ITEM P. (4) The funds appropriated under Section P (4) shall be expended upon the approval of a majority of the Anderson County Board of Welfare, which board is hereby designated the Anderson County Hospital Charity Certification Office. All proceeds received from accounts previously paid out of charity funds shall be deposited with the Treasurer of Anderson County, and such funds shall be added to the amounts appropriated under this section and expended in like manner as the original appropriations.

ITEM P. (9) From this account the supervisor and board of county commissioners are hereby authorized and directed to pay the costs of post mortems and lunacy examinations at the rate of pay provided by contract and approved by the supervisor. Payment herein provided for shall be made upon the certification by the coroner as to post mortems and by the probate judge as to lunacy examinations.

ITEM Q. (4) This account shall be expended under the authorization of a majority of the county legislative delegation, including the Senator.

ITEM Q. (5) From the sum appropriated, the members of the commission shall receive twenty dollars per diem for attending meetings of the commission, not exceeding more than one meeting per month.

Provided, that the county supervisor is authorized and directed to clean the beaches of all debris once a year at low water at his convenience.

ITEM Q. (7) The amount appropriated under this item is to be used for stationery, postage and supplies.

ITEM R. This fund shall be used solely for payments of such sums and for such purposes as may be directed by a majority of the Anderson County Legislative Delegation, including the Senator. This may be used during the fiscal year 1962-1963.

SECTION 4. All sums paid for travel shall be upon sworn vouchers at the rate of seven cents per mile, and such sums shall not exceed the amounts appropriated in each case for travel. Claims for mileage shall be for actual miles traveled in the performance of duty. No travel voucher may be paid unless a daily log of the amount of travel is produced, showing the beginning and ending places of all trips, and the number of miles traveled, verified by the person claiming the travel allowance. *Provided*, that under no circumstances can more than one-fourth of the total amount allocated for travel be expended in any one quarter of the fiscal year.

SECTION 5. Upon the estreating of any bond and upon the amount adjudged against the bondsmen being paid to the Clerk of Anderson County, before judgment is entered up in judgment roll, then in such event the clerk is authorized to enter collection of the amount in his fine book and it shall not be necessary for the clerk to enter up judgment in customary judgment roll. He, however, shall file the papers connected with the estreating of the bond, along with the warrant, etc., in the case in which such bond was given.

SECTION 6. All salaries set out in this act are intended as the annual salary of the person designated and are to be paid upon a bimonthly basis of twenty-four installments to be paid on the fifteenth and last day of each month for such time as such person shall be in actual service in their respective positions. All other items herein are

to be expended upon approximately a monthly basis unless such expenditure is inconsistent with the purpose of the appropriation, but in no event shall a deficit be allowed in any appropriation made herein.

SECTION 7. The supervisor and county board of commissioners are hereby authorized and directed to equitably distribute road and highway improvements throughout Anderson County, including the incorporated municipalities therein, so that every section of the county shall receive work and improvement on roads, highways, and streets in the different localities of the entire county.

SECTION 8. It is hereby provided that no new highway or road or street shall be opened in Anderson County at the county's expense unless the opening of such highway, road or street is approved in writing by a majority of the county board of commissioners, including the supervisor, and they are hereby prohibited from opening any new street for private development.

SECTION 9. All monies appropriated and designated herein shall be for the purposes designated and any transfer of funds shall be approved by the Anderson County Delegation.

SECTION 10. Any funds now in the hands of the Treasurer of Anderson County, not heretofore or hereby designated to be used for some specified purpose, shall be held by the Treasurer of Anderson County in a fund to be known as the Anderson County Fund. Also, any funds coming into the hands of the county treasurer from any source provided by this act, not herein appropriated for some particular purpose, shall, at the close of the fiscal year covered by this act, be added to the Anderson County Fund as provided for in this section. The Anderson County Fund shall not be used for any purpose except upon the written authorization of the Senator of Anderson County and at least one-half of the members of the House of Representatives of Anderson County; *provided*, however, that this section shall not apply to the Anderson County Health Department.

SECTION 11. All purchases by any county department shall have a purchase order signed by the department head.

SECTION 12. Out of the fines collected by the clerk of court of general sessions and paid over to the county treasurer, the county treasurer is hereby authorized to remit to the South Carolina Police Insurance and Annuity Fund such sums of money as may be due the fund under the South Carolina Law.

SECTION 13. All salaries paid partly by the State and partly by the county to constitutional officers shall not exceed a total of five thousand seven hundred dollars per year.

SECTION 14. An additional tax of one and one-half mills on the taxable property of Anderson County is hereby levied for public school purposes. Of this amount, an amount not greater than the revenue realized from the levy of one-half mill shall be used to pay the cost of free readers as now provided by law; *provided*, that all funds raised by the one and one-half mill levy above referred to, not above allocated or the expenditure thereof hereafter provided, shall be used in the payment of such public school costs in Anderson County as the county board of education may deem necessary. *Provided*, that the amount of eight thousand dollars shall be allocated to the five districts on a per pupil basis for free lunches to children certified by their teachers as being unable to pay for them; *provided*, further, that from the amount received by the county board of education from the collection of the one and one-half mill tax not above allocated and from the collection of delinquent taxes and the sale of marriage licenses, the county board of education is hereby authorized and directed to pay the salary of the assistant superintendents of education in an amount within the discretion of the board. The estimated actual expense traveled within the county by the superintendent of education shall not exceed six hundred dollars per annum. *Provided*, the county board of education is authorized to employ a supervisor of school bus transportation whose duties shall be under the direction of the county board of education and the county superintendent of education. The supervisor of school bus transportation shall be paid a salary in an amount within the discretion of the county board and the supervisor of school bus transportation shall be paid actual necessary travel in an amount not to exceed seventy-five dollars per month. He shall also be paid additional necessary travel in securing new bus equipment from the State. An amount not to exceed twenty-five hundred dollars for furnishing free textbooks to the poor pupils of the public schools of Anderson County and the remainder received by the county board of education from the delinquent taxes shall be used for general school purposes. *Provided*, that out of the money raised by the one and one-half mill levy provided herein, the county board of education is authorized to use a sum not to exceed nine thousand dollars for public school music in the schools of Anderson County under such a program as the county board

of education, including the county superintendent of education, may deem proper and may employ the personnel to carry out such program within the sum allocated for this purpose. *Provided*, that no funds coming into the hands of the county board of education from any source shall be used by the county superintendent of education and/or the county board of education to be distributed among the various districts of Anderson County as building aid. *Provided*, the county board of education is authorized and empowered to expend a sum not exceeding five thousand dollars for adult education, the same to be paid out of general school funds. *Provided*, that the secretary to the Lunch Supervisor shall receive two thousand seven hundred fifty-six dollars and eleven cents yearly. *Provided*, that the secretary to the county superintendent of education shall receive three thousand eighteen dollars and eleven cents yearly. *Provided*, that the members of the board of education shall receive ten dollars per diem for every meeting they actually attend not to exceed twelve meetings per year.

The appropriations made in this section are made for the benefit of the public schools in Anderson County and are made in lieu of any and all funds accruing to schools from the fines collected from the violation of any criminal laws of this state. The acceptance by the county board of education of any portion of the funds appropriated in this section shall be construed as a relinquishment of any right of the board and any of the schools in the county to receive any portion of any fines imposed for violation of any of the criminal laws. All materials and supplies used by the county board of education and in the office of the county superintendent of education shall be bought and paid for through the office of the county supervisor and board of county commissioners, as materials and supplies for other county offices are bought and paid for, as set forth in Item A.

It is hereby made a part of the duties of the Superintendent of Education of Anderson County to prepare and submit to the board of trustees of each school district in Anderson County a detailed statement at the end of the fiscal year, showing all claims approved for the preceding year made from funds of the respective school districts and to whom paid and for what purpose, along with a list of all revenues and from what source derived that have been credited to the respective districts. The report shall also set forth the amounts of any funds left on hand by each of the districts, together with any outstanding indebtedness and the status of same.

SECTION 15. No county employee is to receive more than a seven per cent increase in salary over the salary paid to such employee during the fiscal year 1961-1962. *Provided*, that this section shall not apply to the office of Treasurer, Auditor, Probate Judge, Clerk of Court, Supervisor, Tax Collector, Superintendent of Education and Sheriff.

SECTION 16. Notwithstanding any other provisions of law, no board or agency or school district, shall add additional millage on property of Anderson County, without the consent of a majority of the legislative delegation, including the Senator.

SECTION 17. If any word, clause, sentence or section of this act be declared unconstitutional, such shall not affect any other word, clause, sentence or section hereof.

SECTION 18. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1275, H2709)

No. 1031

An Act To Appropriate From The General Fund Of Anderson County To The Anderson County Airport Commission The Sum Of Forty Thousand Dollars To Be Used For The Development And Improvements At The Anderson Airport.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Anderson County may appropriate money to Airport Commission.—There is hereby appropriated from the general fund of Anderson County to the Anderson County Airport Commission the sum of forty thousand dollars to be used for the purpose of development and improvements at the Anderson Airport. Upon the appropriation of this money to the Anderson County Airport Commission the responsibility and liability of Anderson County to the Airport Commission shall cease.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R690, H2026)

No. 1032

An Act To Provide For The Creation Of The Willow Swamp Watershed Conservation District In Bamberg And Colleton Counties; To Define Its Geographic Limits; To Provide For Its Governing Board And Its Powers And Duties; And To Provide For Levy Of Taxes Sufficient For The Administration, Construction, Operation And Maintenance Of Works Of Improvement Within The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Willow Swamp Watershed Conservation District may be formed in Bamberg and Colleton Counties.—Authority is hereby granted to form the Willow Swamp Watershed Conservation District in Bamberg and Colleton Counties for the purpose of developing and executing plans and programs relating to any phase of conservation of water, water drainage, water usage, flood prevention, flood control, erosion prevention and control of erosion, floodwater and sediment damages.

SECTION 2. Area.—The area embraced in the district shall be all that land in Bamberg and Colleton Counties which naturally drains into Willow Swamp. The area shall not include any lands within the corporate limits of any municipality, lands not included within a soil conservation district, or lands embraced within another water conservation district.

SECTION 3. Petition for formation.—Formation of the district shall be initiated by the filing of a petition with the boards of supervisors of the soil conservation districts within the proposed district. Such petition must be signed by fifteen or more freeholders from each of the two counties within the proposed district. Such petition shall define the boundaries of the proposed district, the number of acres of land involved, reasons for requesting creation of such district and other information pertinent to such proposal. If the proposed district is situated in more than one soil conservation district, a copy of the petition shall be presented to the governing body of all soil conservation districts in which any part of such watershed conservation district is situated, and the members of the boards of supervisors of all such soil conservation districts shall organize and act as a single joint body of supervisors, hereinafter called "joint board", with respect to the watershed conservation district as hereinafter specifically set forth in this act.

SECTION 4. Hearing on petition.—(a) Within thirty days after such petition has been filed with the joint board it shall cause due notice to be given of a hearing upon the need for and the practicability and feasibility of creating such watershed conservation district. All interested parties shall have the right to attend such hearing and be heard. If it shall appear at the hearing that other lands should be included or that lands included in the petition should be excluded, the joint board may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 2 of this act.

(b) If it appears upon the hearing that it may be desirable to include within the proposed district, territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the district and a further hearing shall be held. After final hearing, if the joint board determines, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety and welfare for such a district in the territory considered, and that in its judgment such a district would be feasible, it shall make and record the determination and shall define the area; *provided*, that such description need not be given by metes and bounds, but shall be deemed sufficient if it is generally accurate and declares the approximate number of acres of land to be included in the proposed district.

(c) If the joint board determines after the hearing that there is not sufficient need or that it is not feasible for such district to function in the territory considered, it shall make and record the determination and shall deny the petition.

SECTION 5. Referendum.—After the joint board has entered its finding that there is need, in the interest of the public health, safety and welfare, for creation of the proposed watershed conservation district, and that in its judgment the operation of a district within the proposed boundaries with the power conferred upon such district by this act is administratively practicable and feasible, within a reasonable time the joint board shall hold a referendum within the proposed district upon the proposition of the creation of the district. Due notice of the referendum shall be by notice published at least twice with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area or, if no such publication of general circulation is available, no-

tice posted at a reasonable number of conspicuous places in the appropriate area. This posting shall be posted at public places where it is customary to post notices concerning county or municipal affairs generally. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed district as polling places. The joint board shall have full charge of the election and shall have suitable ballots printed and furnished to each voting place, appoint necessary box managers and other election officials, and shall canvass the election and announce the results. Cost of holding the referendum shall be paid from the general fund of the counties concerned.

SECTION 6. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For the creation of the Willow Swamp Watershed Conservation District.”

“Against the creation of the Willow Swamp Watershed Conservation District.”

A square shall follow each proposition. The ballot shall also contain a direction to insert an “X” mark in the square following one or the other of the propositions, as the voter may favor or oppose creation of the district. The ballot shall set forth the boundaries of the proposed district as determined by the joint board. Only owners, or their duly appointed and qualified committee, guardian or attorney in fact, of lands lying within the boundaries of the territory, as shown on the latest assessment rolls for county taxes in effect on the day before the referendum, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in such referendum under rules and regulations provided by the joint board.

SECTION 7. Results—district to be created if results favorable.—The votes shall be counted by the election officers at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the joint board. If two-thirds of the votes cast in each of the two counties concerned favor creation of the district, the joint board shall certify such results to the clerk of the court of common pleas for each of the counties involved. Upon proper recording of such action in the offices of the clerks of court, such watershed conservation district shall be duly created. After recording the certification shall be filed with the State Soil Conservation Committee.

SECTION 8. Board of directors to govern district—nominating petitions — election — ballots — terms — officers — bond of treasurer.—(a) The governing body of the district shall consist of a board of directors composed of one director nominated by land owners in the Bamberg County area of the proposed district and four directors nominated by landowners in the Colleton County area of the proposed district, elected as provided herein. Members of the board of directors shall receive no salaries but may be reimbursed for actual and necessary expenditures incurred in the performance of their duties.

(b) Within thirty days after a watershed conservation district has been created, and after due notice, nominating petitions may be filed with the joint board to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the joint board unless it is signed by fifteen or more landowners within the district in the county concerned or, if less than thirty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the joint board shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in that portion of the watershed conservation district within the soil conservation district in which he seeks election.

(c) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the joint board shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the thirty-day period for the election of five directors of the watershed conservation district. The provisions of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing the district, shall apply insofar as practicable to the election of the directors. The names of all nominees on behalf of whom nominating petitions have been filed as hereinabove provided shall be printed, arranged in alphabetical order of their surnames, upon ballots with a square before each name and a direction to insert an "X" mark in the square before any one or four names, depending on the county in which the ballot is to be used, to indicate the voter's preference. All landowners within the watershed conservation district shall be eligible to vote in such election. Only such landowners, or their duly

appointed and qualified committee, guardian or attorney in fact, shall be eligible to vote. The one or four candidates, depending on the county concerned, who shall receive the largest number respectively of the votes cast in such county's election shall be the elected directors of the watershed conservation district. The five elected directors shall, under the supervision of the joint board, be the governing body of the watershed conservation district.

(d) Of the directors first elected, the one receiving the largest number of votes in Bamberg County and the one receiving the largest number of votes in Colleton County shall serve for terms of four years, the two receiving the next largest number of votes in Colleton County shall serve for terms of three years, and the one receiving the next largest number of votes in Colleton County shall serve for a term of two years. The term of office of each of their successors shall be four years.

(e) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on such bond shall be paid by the watershed conservation district.

SECTION 9. District to be corporate body—powers and duties.

—The district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district, acting through the board of directors thereof, subject to the approval and direction of the joint board to the extent specifically provided for in this act, shall have the following powers in addition to others:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or

convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Sections 10 and 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 12 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district;

(5) To levy an annual tax on all real property within the district as an installment of a bond assessment authorized in Section 11 of this act, including principal, interest, and any amounts required for delinquency reserve, but no such tax shall be levied upon any tract upon which the bond assessment has been paid in full;

(6) To employ any clerk, engineer, attorney or other qualified competent personnel as necessary; and

(7) To sue and be sued in the name of the district; to have a seal, which shall be judicially noticed; to have perpetual succession unless terminated as provided in Section 17 of this act; to make and execute contracts and other instruments necessary or convenient to the exercise of its powers; and to make, amend, and repeal rules and regulations not inconsistent with this act to carry into effect its purposes and powers.

SECTION 10. District may issue bonds.—The district may issue bonds in accordance with this section and Section 11 of this act to pay the cost and expenses of carrying out the purposes of this act. The term “bonds” as used in this act includes one or more bonds, promissory notes, or other evidences of debt issued in compliance with the requirements of this section and Section 11. Bonds may be made payable serially or in installments, to the registered holder or to a payee named in the bonds or to bearer, with or without interest coupons, and upon other terms and conditions not inconsistent with the provisions of this act. Such terms and conditions may be included in

the bonds expressly or incorporated therein by reference to resolutions of the board of directors. To secure its bonds the district may obligate itself to and may assess the lands within the district as hereinafter provided and may assign, pledge, or otherwise encumber the revenues or assessments of the district. The making of such assessments and collection may be enforced by mandamus. Bonds may be issued, negotiated, and sold at public or private sale. Bonds may be executed by one or more officials or employees as authorized by resolution of the board of directors.

SECTION 11. Bonds not to be issued unless certain requirements met.—(a) The requirements of this section shall be complied with before any bonds may be issued.

(b) The board of directors shall determine and define the purpose for which the bonds are proposed, hereinafter called the Improvement Plan, and shall estimate the cost thereof. If it appears to the board of directors that the estimated cost of the Improvement Plan will be exceeded by the resulting benefits to the lands of the district, upon due notice it shall hold a public hearing to assist them in further considering whether such benefits will exceed such costs.

(c) If after the hearing the board of directors finds that the benefits to the lands of the district will exceed the estimated cost of the Improvement Plan and such plan and finding are approved by the joint board, the board of directors shall appoint a classification committee of three members, designating one as chairman. At least two members shall be resident landowners of lands within the area encompassed by Bamberg County and Colleton County but no member shall be a landowner of the district. The classification committee shall personally examine the land in the district and classify it, according to the benefits to be received by it from construction of the improvements described in the Improvement Plan, in one or more of the following classes: Class A, Class B, Class C, Class D, and Class E. The scale of assessment upon the several classes of land shall be in the ratio of 5, 4, 3, 2, and 1; that is, as often as five mills per acre is assessed against any land in Class A, four mills per acre shall be assessed against any land in Class B, three mills per acre against any land in Class C, two mills per acre against any land in Class D, and one mill per acre against any land in Class E. The land owned by any one person need not necessarily be all in one class. The total number of acres in each class owned by one person and the total number of acres of each class in the entire district shall be determined and local and prepared in tabulated form.

(d) The report of the classification committee, upon review and approval by the board of directors, with or without any adjustments made by the committee upon recommendation by the board of directors, shall establish the proposed classification of the lands. The proposed classification shall be filed in the office of the district and a certified copy thereof shall be made available for inspection by the landowners of the district in each of the following places: the office of the board of directors, the office of the board of supervisors of each soil conservation district embracing any land within the watershed district, and the office of the clerk of the Court of Common Pleas for each county embracing any land in the district. The board of directors shall cause the landowners of the district to be given due notice of the proposed classification, including the times and places where the certified copies are available for inspection. Such notice shall also designate a time and place at which the classification committee will hear any landowner aggrieved by the proposed classification of his land who requests reclassification. The date designated for commencement of the hearing shall be not less than fifteen nor more than thirty days after first publication of the notice.

(e) After the hearing the classification committee shall find whether any such reclassification should be made and shall report its finding to the board of directors. Such board may request reconsideration by the committee of such finding. Upon adoption by the board of directors, the report of the committee shall constitute the final classification of all lands in the district, which shall show in alphabetical order the names of all landowners of the district and opposite each name the total number of acres in each class owned by such landowner. The board of directors shall cause each landowner who requested reclassification to be informed by registered or certified mail of the final decision on his request. Certified copies of the final classification shall be made available for inspection in the same places as the proposed classification. Certified copies shall be filed of record in the offices of the clerks of court. The ratios established in the final classification shall form the basis of assessments for payment of bonds.

(f) After filing of the final classification, due notice shall be given of a referendum election to be held to determine whether bonds may be issued. The notice shall specify the purpose for which the funds are to be used, the amount, maximum rate of interest, and other substantial terms and conditions of the bonds to be issued,

the fact that assessments for payment of the bonds will be apportioned in accordance with the ratios established in the final classification, the places where certified copies of the final classification may be inspected, and the requirement that landowners to be eligible to vote must have their names on the county tax assessment rolls the day before the election. The provisions of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing the district shall apply insofar as practicable to the referendum held under this section. The ballots shall contain appropriate language to permit each voter to vote for or against the issuance of bonds of the district as proposed. Such bonds may not be issued unless two-thirds of the votes cast are in favor of the issuance of the bonds.

(g) After bonds have been authorized by referendum, the board of directors shall immediately impose upon each tract of land within the district a "bond assessment" to provide for payment of the bonds. The total of the bond assessment upon all lands in the district shall be equal to the principal of the bonds plus the interest to accrue thereon according to the scheduled maturities plus an amount not exceeding ten per cent of the sum of such principal and interest for reserve against possible delinquencies. The board of directors shall prepare for the lands in each county a separate assessment roll in tabulated form showing the names of the landowners as they appeared on the county tax rolls as of the day before the bond referendum and opposite each name a brief but adequate description, by reference to a description of record or otherwise, of the lands owned and opposite each tract of land the amount of the assessment thereon. The assessment roll shall be duly filed of record in the office of the clerk of the Court of Common Pleas for the county in which the lands lie, and thereupon the bond assessment upon each tract shall become a lien thereon, payable over a stated period of years in annual installments pursuant to annual levies. Such lien may be divested only by payment in full. A copy of the assessment roll shall be filed and maintained in the office of the treasurer of the district. He shall credit to the bond assessment upon each tract the amount of the annual bond tax levied thereon as collections thereof are received by the district from time to time, but no interest, penalties, or collection costs paid upon the amount of any overdue annual bond tax shall be so credited. The bond assessment upon any tract may be paid in full, and the lien thereof satisfied (1) at any time

before the date on which the bonds are issued, by payment to the treasurer of the district of the amount of the assessment upon such tract less any amount included therein for interest or for delinquency reserve, or (2) at any time on or after the date on which the bonds are issued, by payment to the county treasurer of any unpaid annual bond tax levied on such tract plus interest and collection charges and by payment to the treasurer of the district of the amount of the unpaid balance of the bond assessment installments not yet due upon such tract less any amount included therein for interest to accrue, and any amounts to be charged for delinquency reserve, after the next interest payment date of the bonds. The treasurer of the district shall give a receipt evidencing payment in full of a bond assessment and shall promptly enter or cause to be entered the words "Paid in full" opposite the tract on the record of the bond assessment roll in the office of the clerk of court and thereupon the bond assessment and the lien thereof shall be deemed satisfied.

SECTION 12. Budget—tax levy.—(a) Within the first quarter of each calendar year, the board of directors shall prepare an itemized budget of the funds needed for administration and for construction, operation, and maintenance of works of improvement, but not including funds for payment of any bond assessment. The joint board shall approve or revise such budget. The board of directors with the assistance of the county auditors shall prepare a list of the freeholders and the number of acres in the district. The county auditors shall levy a tax sufficient to meet such budget, not to exceed five mills, on all real property within the district.

(b) When the property tax rolls are delivered to the county treasurers by the county auditors, as required by law, the county treasurers shall compute the tax, exclusive of any bond taxes, due the district from each freeholder in accordance with the rate fixed by the board of directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 13. Bond taxes.—(a) Within the first quarter of each calendar year the board of directors shall also determine the total sum to be levied for the annual installment of any bond assessment outstanding and the joint board shall approve or revise such determination. Thereupon, the board of directors, using the final classification

ratios, shall apportion such total sum among the tracts of land within the district except any tracts upon which the bond assessment has been paid in full. To apportion such total sum, the percentage which it bears to the total amount of the unpaid bond assessment upon all tracts shall be applied to the amount of the unpaid bond assessment upon each tract still subject to such assessment. The resulting amount shall be the annual bond tax upon each such tract for that year. The board of directors shall prepare a bond tax list and certify a copy to the county auditors. The bond tax list shall be delivered by the county auditors to the county treasurers along with the property tax rolls. The county treasurers may include the bond taxes, provided they are so identified, on the regular tax bills to the extent feasible, or may prepare and issue special bond tax bills.

(b) Bond taxes shall be due and payable between the fifteenth day of September and the thirty-first day of December of the year in which they are levied. Bond taxes not paid on or before the thirty-first day of December shall bear interest, not as a penalty, thereafter until paid at a rate, per elapsed calendar month or fraction of a calendar month, determined by the board of directors and specified on the bond tax list. Such rate of interest shall be not less than the interest rate on the bonds combined with the rate for any delinquency reserve included in the bond tax. Any such interest accrued on bond taxes shall be collected by the county treasurer and paid to the district along with the amount of the bond taxes. No discounts shall be allowed on payment of bond taxes.

(c) The procedure provided by law for apportionment of county taxes in case of transfer of title to part of real property to a person not the owner at the time such property was assessed for taxation shall apply to any case in which a portion of a tract subject to bond assessment is transferred to a new owner, except that the application by the new owner of the portion transferred shall be made to the board of directors of the district. Promptly after receipt of such application the board of directors of the district shall make a fair and equitable apportionment of the unpaid balance of the bond assessment remaining against the whole tract as between the portion transferred and the portion not transferred, shall notify the county auditor of such apportionment, as an amendment to the annual bond tax list, and shall cause the bond assessment roll to be amended in the office of the clerk of court. Thereupon each portion of the orig-

inal tract shall be deemed a separate tract with respect to the bond assessment, the lien thereof, and annual bond taxes. No such apportionment shall be made on account of any lien interest or other partial interest in any tract.

SECTION 14. Collection of taxes—bonds of treasurers.—(a) Except as provided in Section 13 of this act, the county treasurers shall collect the taxes due the district at the same time and in the same manner as they collect other taxes of the counties and the taxes due the district shall be subject to the same due and delinquency dates, discounts, penalties, and interest as are applied to the collection of county taxes; *provided*, that penalties and costs of collection shall be paid to and retained by the county procuring such collection.

(b) The official bonds of the county treasurers shall be increased by such amounts as the board of directors of the district may determine to be necessary for the protection of the district. Any resulting increases in premiums shall be paid by the district as a cost of administration.

SECTION 15. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the board of directors, approved by the joint board. Funds may be deposited in such special accounts and in such depositories as may be determined by the board of directors.

SECTION 16. Petition to have lands detached.—The owner or owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district and which are not at the time subject to bond assessment may petition the joint board to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held within thirty days after the petition is received. Due notice of such hearing shall be given before the hearing. If it is determined by the joint board that such lands shall be detached, such determination shall be certified to the county auditors. After recording, the certification shall be filed with the State Soil Conservation Committee.

SECTION 17. Petitions for discontinuance of district—hearing—referendum—discontinuance if election and determination

favorable.—(a) At any time after five years from the organization of the watershed conservation district, fifteen or more freeholders within each of the counties within the district, or, if less than thirty freeholders are involved, a majority of the freeholders in such district in each county may file a petition with the joint board praying that the existence of the district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the district have been met.

(b) After due notice, as provided in Section 5 of this act, the joint board may conduct such hearings on the petition as may be necessary to assist them in making a determination.

(c) If the joint board finds that all the obligations of the district have been met, within sixty days after the petition is filed, a referendum shall be held under the supervision of the joint board as provided in Section 11 of this act. No informalities in the conduct of the referendum or in any matters relating to the referendum shall invalidate it or its result if notice of the referendum has been given substantially as provided in subsection (b) of this section.

(d) If a majority of the votes cast in each county in such referendum favor the discontinuance of the district, and it is confirmed that all the obligations have been met, the joint board shall make a determination that the watershed conservation district shall be discontinued. A copy of the determination shall be certified to the clerks of court for recording, and such recording shall terminate and dissolve the district. After recording, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Supervisory authority if district discontinued.—

If any supervising soil conservation district is discontinued, the governing body of the county involved shall serve in the same supervising capacity over the watershed conservation district as the joint board.

SECTION 19. Certain public utilities exempt from condemnation and taxes.—The powers of condemnation and the levying of taxes granted in this act shall not extend to property of any public utility which could have been acquired by such public utility under its right of condemnation.

SECTION 20. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R1081, H2549)

No. 1033

An Act To Close A Certain Alley In The Town Of Denmark.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Denmark may close certain alley.—The twenty-foot alley running north and south through the center of a block bounded on the north by West Hagood Street, on the east by Magnolia Avenue, on the south by Timrod Street and on the west by Cedar Avenue in the town of Denmark is hereby closed and abandoned.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1148, H2599)

No. 1034

An Act To Provide For The Levy Of Taxes For County Purposes In Bamberg County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, And For The Expenditure Thereof; To Fix The Compensation Of Certain Officers; To Validate Certain Disbursements, Expenditures And Actions During The Fiscal Year 1961-1962; To Create The Office Of Tax Collector; And Otherwise Relating To The Fiscal Affairs Of Bamberg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Bamberg County is hereby directed to levy a tax of five mills on all of the taxable property in Bamberg County, the proceeds thereof to be turned over to the trustees of Bamberg County Memorial Hospital to be used by them in supplementing other revenue received from the trustees in operating

the hospital during the fiscal year beginning July 1, 1962, and ending June 30, 1963. In the event that the funds are not needed for this purpose during the fiscal year ending June 30, 1963, then the funds are to be held by the Treasurer of Bamberg County until they are needed for such purposes.

The trustees of the hospital are authorized to refer all cases requesting hospital assistance to the Department of Public Welfare of Bamberg County, and the Department of Public Welfare is authorized and directed to investigate and make recommendations as to all such cases.

SECTION 2. The Auditor of Bamberg County is hereby directed to levy a tax on all of the taxable property in the County of Bamberg for ordinary county purposes for the fiscal year beginning July 1, 1962, and ending June 30, 1963, the revenue derived from such tax and other funds to be expended in the amounts and for the purposes hereinafter stated.

Item 1. Roads and Bridges:

Convicts and maintenance of roadworking organization; materials used in and for general operating expenses of plant for manufacturing of concrete bridge materials; and salaries of chain gang foreman, guards and mechanic; also for purchasing new road machinery, trucks, equipment and repairs, if so much be necessary. . . . \$ 33,790.00

Total, Item 1 \$ 33,790.00

The supervisor shall deliver to each member of the legislative delegation, on or before the tenth day of each month, an itemized statement showing the amount of each disbursement made during the preceding month, to whom paid, and for what the voucher was issued.

Item 2. Clerk of Court's Office:

Salary of Clerk \$ 2,071.30
Clerical Help 820.00

Total, Item 2 \$ 2,891.30

Item 3. Judge of Probate's Office:

Salary of Judge of Probate and Acting Master	\$ 2,071.30
Clerical Help	820.00

Total, Item 3\$ 2,891.30

In addition to the amount appropriated herein for the salary of the Clerk of Court and the Judge of Probate, they shall also retain all fees collected by their respective offices as now provided by law. *Provided*, the fee for each lunacy examination shall be \$10.00.

Item 4. Auditor's Office:

Salary of Auditor, \$4,673.00 less \$3,848.00 contributed by the State	\$ 825.00
Clerical Help	820.00
Travel Expense	300.00

Total, Item 4\$ 1,945.00

Item 5. Treasurer's Office:

Salary of Treasurer, \$5,150.00 less \$3,848.00 contributed by the State	\$ 1,302.00
Clerical Help	343.00
Travel Expense	200.00

Total, Item 5\$ 1,845.00

Item 6. Sheriff's Office:

Salary of Sheriff	\$ 3,723.00
Deputy Sheriffs, 2 @ \$3,198.00 each	6,396.00
<i>Provided</i> , that one deputy shall also act as constable for the magistrate at Bamberg.	
Travel subsistence allowance—\$750.00 for the Sheriff and deputy sheriffs—to be paid on monthly basis	2,250.00
Gas, oil and upkeep of two cars owned by county and used by the Sheriff and deputy sheriffs, if so much be necessary	1,600.00
To purchase uniforms for Sheriff and deputies	300.00
To purchase photo supplies, ammunition, etc., if so much be necessary, by approved vouchers	200.00
For Radio repair and service	300.00

Total, Item 6\$ 14,769.00

Item 7. Superintendent of Education's Office:	
Salary, \$4,809.50, all paid by State	
Clerical Help	\$ 660.00
For use of auto, maintenance and travel expense	480.00
	<hr/>
Total, Item 7	\$ 1,140.00
Item 8. Supervisor's Office:	
Salary of Supervisor	\$ 2,800.00
Salary of Clerk	2,580.00
For use of auto, maintenance and travel expense	525.00
Two county commissioners @ \$419.76 each ...	839.52
	<hr/>
Total, Item 8	\$ 6,744.52
Item 9. Coroner's Office:	
Salary of Coroner	\$ 466.40
For traveling expense and stenographic fees for taking and transcribing testimony	120.00
	<hr/>
Total, Item 9	\$ 586.40
Item 10. Jail:	
Salary of Jailer	\$ 1,200.00
Jail expenses, including dieting of prisoners, if so much be necessary; <i>provided</i> , that the jailer shall be allowed one dollar a day for each pris- oner (any city prisoner to pay county two dol- lars turnkey, and one dollar a day for dieting) .	4,500.00
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Total, Item 10	\$ 5,700.00
Item 11. Miscellaneous Salaries:	
Attorney	\$ 466.40
Physician	466.40
Maid at Courthouse	551.20
Janitor at Courthouse	992.16
Clerical Help, School Lunch Supervisor	759.00
Clerical Help, Home Demonstration Agent's Office	840.00
Part Salary, Negro Home Demonstration Agent	720.00
Clerical Help, Negro Farm and Home Demon- stration Agents	240.00
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Total, Item 11	\$ 5,035.16

Item 12. County Boards:	
Board of Education	\$ 400.00
Board of Equalization	600.00
Total, Item 12	\$ 1,000.00
Item 13. For the purchase of furniture and equipment for the various county offices, if so much be necessary, with expenditures from this appropriation to be first approved by the legislative delegation	
	\$ 1,500.00
Total, Item 13	\$ 1,500.00
Item 14. Court Expenses	
	\$ 3,320.00
<i>Provided</i> , that jurors and bailiffs shall be paid five dollars per day for services in attendance upon courts. The jury boy shall be paid three dollars per day for services in attendance upon courts. Jurors in magistrates' courts in criminal cases and jurors in coroner's court one dollar per day, to be paid upon warrants of the magistrates or coroner. <i>Provided</i> , further, that out of the funds herein appropriated for Court Expenses, the Resident Circuit Judge is hereby authorized to use for stenographic services not to exceed the sum of \$820.00.	
Total, Item 14	\$ 3,320.00
Item 15. Magistrates' and Constables' Salaries:	
Magistrate at Bamberg	\$ 1,541.24
Constable at Bamberg (Deputy Sheriff acts as Constable).	
Magistrate at Denmark	\$ 1,000.00
Constable at Denmark	530.00
Magistrate at Olar	583.00
Constable at Olar	381.60
Magistrate at Ehrhardt	583.00
Constable at Ehrhardt	381.60
Magistrate at Fishpond Township	482.30
Constable at Fishpond Township	321.80
<i>Provided</i> , that if the magistrates for the Towns of Bamberg, Denmark, Olar and Ehrhardt do	

not live in the respective towns, they shall establish office hours in the towns on Saturdays from 10 A. M. to 4 P. M., of each week, and be available during such time for official duties.

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Total, Item 15		\$ 5,804.54
Item 16.	Welfare Department (State):	
	For Emergency Relief	\$ 1,000.00
All cases receiving assistance from this fund to be approved by a majority of the board. <i>Provided</i> , that the director may approve cases needing immediate attention and in which suffering would result if assistance were delayed, but in such cases he shall make a full report showing the nature of the emergency and the amount given each recipient at the next meeting. A monthly report of all expenditures shall be made to the legislative delegation.		
Total, Item 16		<hr/> \$ 1,000.00
Item 17.	Public buildings, including water, fuel, lights, telephone, insurance and purchase of cleaning materials and tools for buildings and grounds, and for repairs to county property	\$ 8,000.00
Total, Item 17		<hr/> \$ 8,000.00
Item 18.	Post mortems, inquests and lunacies	\$ 650.00
Total, Item 18		<hr/> \$ 650.00
Item 19.	Printing, Postage and Stationery	\$ 3,500.00
<i>Provided</i> , that itemized bills for all expenditures out of this sum shall be filed with the County Supervisor before payment is made. <i>Provided</i> , further, that the amount be apportioned to the various offices on approximately the same basis as heretofore used by these offices, and that no office or officer shall be allowed to use during the current year an amount in excess of the sum apportioned by the County Board.		
Total, Item 19		<hr/> \$ 3,500.00

Item 20. County Health Department, if so much be necessary, the amount to be determined by the Bamberg County Legislative Delegation and the Bamberg County Health Department		\$ 5,589.00
For Rabies Control		100.00
Tuberculosis work in county		600.00
Total, Item 20		\$ 6,289.00
Item 21. Miscellaneous:		
(a) Vital Statistics	\$	225.00
(b) Premium on Bonds		660.00
(c) For auditing county books for 1961-1962.....		1,525.00
(d) Boys' 4-H Work		75.00
(e) Girls' and Women's 4-H Work		75.00
(f) Negro Boys' 4-H Work		75.00
(g) Negro Girls' and Women's 4-H Work		75.00
(h) Demonstration Supplies for Home Agent		50.00
(i) Demonstration Supplies and photographic material for Farm Agent, if so much be necessary.		100.00
(j) Bamberg Public Library		2,750.00
(k) For Burial of Paupers		200.00
(l) Rent for Federal Projects and for County Agencies, if so much be necessary		52.00
(m) To pay premium for Workmen's Compensation Insurance for county officials and employees, if so much be necessary		700.00
(n) For retirement of county officers and employees, if so much be necessary		1,680.00
(o) Social Security for county employees		1,560.00
(p) (1) For National Guard, to be expended upon vouchers approved by the Captain of the National Guard		1,500.00
(2) To purchase furniture and equipment for new National Guard Armory		500.00
(q) Edisto Soil Conservation District, to be used for farm work in Bamberg County		500.00
(r) To supplement salary of County Farm Demonstration Agent		500.00
(s) Colored County Farm Demonstration Agent...		200.00
(t) Flowers and shrubbery for Bamberg County Hospital		100.00

	(u) Janitor for Health Department and Welfare Department, and to care for Courthouse and Library grounds under supervision of Health Department	900.00
	(v) Fertilizer and improvements for Courthouse and Library shrubbery	200.00
	(w) Official Expenses—Circuit Judge (to be paid upon warrant of Circuit Judge)	720.00
	(x) To supplement salary of County Forest Fire Protection Unit Driver	180.00
	Total, Item 21	\$ 15,102.00
Item 22.	Contingent fund	\$ 10,000.00
	To be used only with the written approval of the Bamberg County Legislative Delegation.	
	Total, Item 22	\$ 10,000.00
Item 23.	Bamberg County Planning and Development Board, to be paid upon vouchers approved by the chairman and secretary if so much be necessary	\$ 250.00
	Total, Item 23	\$ 250.00
Item 24.	For annual expenses, maintenance and operation of the J. C. Kearsce Agriculture Building, if so much be necessary	\$ 3,900.00
	<i>Provided</i> , that all Federal agencies with offices located in said building shall pay to the General Fund of Bamberg County their proportionate share of the above cost based on a square footage occupancy.	
	Total, Item 24	\$ 3,900.00
Item 25.	Tax Collector	\$ 1,800.00
	<i>Provided</i> , the Supervisor shall not disburse any amounts, including salaries, under this item unless the report has been filed for the preceding month.	
	Total, Item 25	\$ 1,800.00

Item 26. Civil Defense\$ 1,200.00

Total, Item 26\$ 1,200.00

GRAND TOTAL\$140,653.22

Estimated Revenue:

Fines and Licenses\$ 13,400.00

Commutation Road Tax 2,500.00

Gasoline Tax (one cent) 50,900.00

Insurance Licenses 6,500.00

Liquor Tax 13,750.00

Beer and Wine Tax 3,300.00

Execution Fees 3,000.00

Income Tax 21,500.00

Bank Tax 1,600.00

Diversion from hospital millage 5,000.00

Miscellaneous 1,500.00

Total, Estimated Revenue\$122,950.00

Amount to be raised by taxation\$ 17,703.22

SECTION 3. The appropriation made under the foregoing section for the office of Sheriff and the office of Treasurer of Bamberg County is intended to be full compensation for their respective services, including expenses, in lieu of all tax execution fees, and all tax execution fees collected for such offices shall be by them, respectively, paid over to the treasurer and by him credited to the General County Fund. *Provided*, that all mileage and docketing fees shall be turned over to the treasurer and placed in the Sheriff's auto maintenance and traveling expenses fund. *Provided*, further, that mileage shall be nine cents per mile and per diem ten dollars.

SECTION 4. No charge shall be made by the auditor for entries upon the books of his office of any transfer of real estate by deed or other written instruments.

SECTION 5. The commutation road tax shall be considered as a part of the revenue of the county for road purposes, and is not to be expended in addition to the amount appropriated in Item 1 of this act.

SECTION 6. The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other, and any unexpended balance in hand at the expiration of the fiscal year shall revert to the general fund of the county.

SECTION 7. Should there be any deficit in any item of the 1961-1962 Supply Act or should any deficit occur in any item under the provisions of this act, the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account; and if the surpluses from such items are insufficient to cover the deficits, then there is hereby appropriated out of the General Fund of Bamberg County a sufficient amount to cover such deficits, provided the payment of same has been authorized in writing by the Bamberg County Legislative Delegation.

SECTION 8. No expense allowed under this act shall be paid out in bulk, but is to be for actual expenses incurred in official business, and the supervisor is hereby required to demand and retain proper itemized and verified vouchers for each such expenditure.

SECTION 9. It shall be unlawful for the county supervisor or board of commissioners to make any contracts to purchase or to make purchases for an amount exceeding one thousand dollars without the written consent of the Legislative Delegation.

SECTION 10. Any expense incurred by reason of failure of an officer of the county to perform the duties of his office, as required by law, shall be deducted from the salary of the officer so failing to perform his duty.

SECTION 11. No warrant shall be issued to pay any magistrate and his constable until the end of the month and until such magistrate has filed his report of the proceedings of his court and until such magistrate shall have filed a bond as provided by law.

SECTION 12. The county treasurer is authorized and directed to mail to every taxpayer the same form of notice as provided for under the terms of Section 11 of the Supply Act of Bamberg County for the year 1943.

SECTION 13. The clerk of court is hereby authorized and directed to charge the sum of fifty cents to satisfy any real estate mortgage, provided that the satisfaction is in the form as authorized under

item (1) of Section 45-65 of the 1952 Code. For recording chattel mortgages for amounts under one hundred dollars, the clerk is hereby authorized and directed to charge the same fee as any chattel mortgage, regardless of the amount of such mortgage.

SECTION 14. All chattel mortgages will be recorded in same books and indexed accordingly.

SECTION 15. All taxes other than merchants' and corporation taxes due the county prior to and including taxes for the year 1957 shall be collected, nulla bona, or levied upon by the Sheriff of Bamberg County, on or before November 1, 1962.

All merchants' and corporation taxes due the county prior to and including taxes for the year 1961 shall be collected, nulla bona, or levied upon by the Sheriff of Bamberg County on or before November 1, 1962.

SECTION 16. The Resident Circuit Judge shall be entitled to the same benefits as any other county official.

SECTION 17. A certain sum to be determined under the provisions of an Act of 1959, bearing Ratification No. 417, shall be placed in the General Fund of the county, which amount shall be diverted from hospital millage by the Treasurer of Bamberg County.

SECTION 18. The Treasurer of Bamberg County is hereby authorized and directed to turn over to the Bamberg County Planning and Development Board such sums of money as may be directed by the Bamberg County Legislative Delegation. The funds are to be used by the Bamberg County Planning and Development Board for such projects as in the discretion of the board will tend to relieve unemployment in the county and stimulate business within the county.

SECTION 19. The disbursements, expenditures and actions authorized by the Bamberg County Legislative Delegation during the fiscal year 1961-1962 in connection with the operation of the county and departments and agencies thereof, are hereby validated and declared to be legal and binding acts of the officials of the county who acted in pursuance thereof.

PART II**PERMANENT PROVISIONS**

SECTION 1. It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

SECTION 2. There shall be appointed for Bamberg County a discreet person to be known as 'Tax Collector'. The appointment shall be made by the Governor upon the recommendation of a majority of the county legislative delegation.

SECTION 3. The tax collector shall give bond in the sum of five thousand dollars, conditioned for the faithful performance of his duties. The bond shall be in the form prescribed and used for the sheriff.

SECTION 4. The term of office shall be for two years and he shall be subject to removal at any time by the Governor, upon the recommendation of a majority of the county legislative delegation.

SECTION 5. Any vacancy occurring in the office of the tax collector shall be filled by appointment by the Governor, upon the recommendation of the county legislative delegation, for the unexpired term .

SECTION 6. The supervisor of the county shall provide an office and office equipment that is necessary for the tax collector.

SECTION 7. The powers formerly vested in the county sheriff as to collection of delinquent taxes, seizure and sale of property, and similar powers with respect to the collection of taxes are conferred upon the tax collector and he may carry into effect all laws pertaining to the execution of delinquent taxes as are formerly provided for the sheriff, and the sheriff is relieved from the collection of any delinquent taxes. All books, records and accounts relating to delinquent taxes shall immediately be transferred by the sheriff to the person appointed tax collector.

SECTION 8. Immediately upon the expiration of the time allowed by law for the payment of taxes in any year, the county treasurer shall issue in the name of the State a warrant or execution in dupli-

cate against any defaulting taxpayer in the county, signed by him in his official capacity, directed to the tax collector and requiring and commanding him to levy such warrant or execution by distress and sale of so much of the defaulting taxpayer's estate, real, personal, or both, as may be sufficient to satisfy the state, school, county or special taxes of such defaulter, specifying therein the aggregate amount of all his taxes, as well as the amount due to each fund.

SECTION 9. Any such warrant or execution shall run substantially in these words, viz.:, Treasurer for County, to the Tax Collector of County; whereas, has been duly assessed the sum of dollars for defraying the state, school, county and special charges for the fiscal year beginning, 19 , as follows, to wit: for the State, \$; for public schools, \$; for the county, \$; for special, \$; which has neglected to pay; these are, therefore, in the name of the State strictly to charge and command you to levy by distress and sale of the personal property and, if sufficient personal property cannot be found, by distress and sale of the land of said the sum of dollars, together with dollars, the charges thereof; and for so doing this shall be your sufficient warrant.

Given under my hand and seal this day of, A.D.;
19

. L.S.
Treasurer of County

SECTION 10. Under and by virtue of such warrant or execution, the tax collector shall seize and take exclusive possession of so much of the defaulting taxpayer's estate, real, personal, or both, as may be necessary to raise the sum of money named therein and such charges thereon and proceed to advertise and sell such estate as is provided for sheriff's sales under Sections 65-2749, 65-2766, 65-2772 and 65-2776, of the 1952 Code.

SECTION 11. The county treasurer, for every such warrant issued, shall add a fee of one dollar and the tax collector shall levy and collect from such defaulter the following fees in the execution of his office, to wit: for serving each warrant, one dollar and mileage at the rate of seven cents for each mile actually traveled in executing the warrant; for advertising a sale, twenty-five cents; for making a sale and executing a deed of conveyance and putting the purchaser in pos-

session, three dollars; and for all sums levied as aforesaid, five per cent. The tax collector is prohibited from demanding or collecting any greater sum therefor than is allowed by this section and neither the tax collector nor the treasurer shall charge or receive any fees upon nulla bona returns. All the fees charged in this section against such execution, including the fee charged by the county treasurer and the fees for the services of the tax collector in serving the executions mentioned in this section shall be collected by the tax collector, who shall remit one dollar for each execution to the treasurer, to be placed in the General Fund. The fees of the tax collector may be supplemented by a salary to be provided in the annual county appropriations act, or otherwise. *Provided*, in the event that the salary provided in the annual county appropriations act and the fees (other than mileage) received by the tax collector should exceed the sum of four thousand five hundred dollars, the surplus of such fees shall be transmitted to the county treasurer and placed in the General Fund.

SECTION 12. The tax collector shall make settlement with the treasurer on the first of every month and make a written report on all executions with respect to nonpayments, errors, nulla bona returns or any other necessary report, to the legislative delegation and the supervisor, so that the county auditor or any other officer charged with that duty may check up with the treasurer.

SECTION 13. The tax collector shall report to the county auditor any executions which are uncollectible and the auditor shall so mark them on the tax books and in the abstract of tax executions. He shall assist the county auditor in placing upon the tax books the names of persons who are escaping taxation.

SECTION 14. The provisions of this article as to the several officers in Bamberg County named in this article are mandatory and not discretionary and, upon failure or refusal of any of them to do the things herein directed and required to be done by them, the supervisor shall immediately bring and institute in the courts mandamus or such other proceedings as may be proper or necessary to carry into effect the provisions of this article. The county attorney is directed to advise all officers named in this article of their respective duties required of them in this article and whenever necessary take legal steps at the direction of the county supervisor in the enforcement thereof.

SECTION 15. The provisions of Part II of this act shall become effective July 1, 1962.

End of Part II

This act shall become effective upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1015, H2173)

No. 1035

An Act To Provide For Submitting The Question To The People Of Barnwell School District No. 45 Of Whether The Qualified Electors Of The School District Wish To Elect The School District Trustees Or Whether They Wish To Have Them Appointed.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Barnwell School District 45—referendum—trustees.—The question of whether the qualified electors of Barnwell School District No. 45 wish to elect the trustees of the school district or whether they wish to have them appointed shall be submitted to the qualified electors of the school district in the general election held the second Tuesday of November of 1962.

SECTION 2. Conduct of referendum.—The Commissioners of Election of Barnwell County shall provide a sufficient number of ballots for each voting place in Barnwell School District No. 45 with the following questions written or printed thereon:

“Question 1. Do you favor the election of the trustees by vote of the people in Barnwell School District No. 45?

Yes ☐

Question 2. Do you favor appointment of the Board of Trustees for Barnwell School District No. 45?

Yes ☐

Those voting shall deposit a ballot with a check or cross mark in the square opposite the word ‘Yes’ following the question which indicates the method of selecting the members of the board of trustees which they favor.”

The officials responsible for canvassing the results of the election shall within ten days certify the results to the Clerk of Court of Barnwell County and to the Secretary of State.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1033, H2304)

No. 1036

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Barnwell County For The Fiscal Year Beginning July 1, 1962, And To Provide For The Expenditure Thereof; To Fix The Road Tax; To Authorize The Clerk Of Court To Destroy Certain Records; To Provide For Certain Tax Exemptions; To Require Magistrates Of The County To Give Statements For Fines Received; And To Otherwise Provide For The Fiscal Affairs Of Barnwell County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. That the county auditor of Barnwell County is hereby directed to levy a tax on all the taxable property of the County of Barnwell for county purposes for the fiscal year beginning July 1, 1962, and ending June 30, 1963, sufficient to pay the following appropriations :

Item 1. Roads and Bridges :

Convicts and Maintenance road working organizations	\$ 22,000.00
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	\$ 22,000.00

Item 2. Clerk of Court's Office :

Salary of Clerk of Court	\$ 1,000.00
Salary of Assistant Clerk	1,368.00
Indexing births and deaths	200.00
Recording discharge of soldiers and sailors	150.00
Repairing and binding books, if so much be necessary	200.00
Telephone	102.36
	<hr/>
	\$ 3,020.36

Provided, that the fee that may be charged by the Clerk of Court for Barnwell County for

the recording, filing, indexing and/or registering of any mortgage or other instrument conveying a lien on crops growing or to be grown and/or personal property and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be fifty (50¢) cents; *provided*, that a copy or duplicate of such instruments be furnished to the recording officer. That Barnwell County is specifically excepted from the provisions of Sections 27-60, 27-61, 27-66, 60-2 and 60-303, Code of Laws of South Carolina, 1952; *Provided*, Further, That in addition to the fee hereinabove fixed for recording chattel mortgage, the Clerk of Court may charge an additional fee of twenty-five (25¢) cents, when he is required to search the records before recording any such mortgage. And, *Provided*, further, That notwithstanding Section 27-52, Code of Laws of South Carolina, 1952, in Barnwell County the Clerk of Court shall receive for recording deeds without dower a fee of \$2.00; deeds with dower a fee of \$2.25; chattel mortgages a fee of \$1.50; and chattel mortgages with assignment a fee of \$2.00. *Provided*, That the Clerk of Court is authorized and directed to remove from the active shelves of the Clerk's office and store or destroy all old chattel mortgage records ten (10) years of age or older.

Item 3. Sheriff's Office:

Salary of Sheriff	\$ 3,360.00
For use of auto, maintenance and travel expense of Sheriff	2,000.00

Salaries of two Deputy Sheriffs, to be appointed by the Sheriff (\$2,400.00 each)	4,800.00
For use of their cars, maintenance and travel, expenses of two Deputy Sheriffs (\$1,719.96 each)	3,439.92
Replacement of Uniforms for two Deputy Sheriffs (\$150.00 each)	300.00
Salary of Clerk	1,920.00
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	\$ 15,819.92
Item 4. Treasurer's Office:	
Salary of Treasurer	\$ 1,200.00
Salary of Clerk	1,920.00
Telephone	102.36
Assistant Clerk, two months @ \$160.00 per month	320.00
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	\$ 3,542.36
Item 5. Auditor's Office:	
Salary of Auditor	\$ 1,200.00
Traveling Expenses of Auditor	300.00
Salary of Clerk	1,920.00
Salary of Assistant Clerk (10 months @ \$160.00 per month)	1,600.00
Telephone	102.36
Repairing and binding books, if so much be necessary	200.00
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	\$ 5,322.36
Item 6. Board of Education:	
Salary of Clerk	\$ 1,620.00
Travel, Attendance Teacher	400.00
Members of County Board, each \$150.00	1,050.00
Expenses, County Board	500.00
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	\$ 3,570.00

Provided, That in addition to the salary provided for the County Board of Education there shall be allowed ten (10¢) cents per mile travel going to and returning from official meetings of the Board.

Item 7. Judge of Probate's Office:

Salary of Judge of Probate and Acting Master ..\$	1,700.00
Salary of Clerk	1,440.00
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	\$ 3,140.00

Provided, That the fees charged by the Judge of Probate for acting Master shall be the same as those heretofore provided by law for the Master, in the Code of Barnwell County. *Provided*, Further, That any general law to the contrary notwithstanding, except any general legislation passed in 1952, the fees charged by the Judge of Probate of Barnwell County shall be those provided for in Section 27-308, Code of Laws of South Carolina, 1952.

Item 8. Coroner's Office:

Salary of Coroner	\$ 900.00
	<hr/>
	\$ 900.00

Item 9. County Board of Managers:

Salary of Supervisor of Roads	\$ 2,860.00
Traveling Expenses for Supervisor	1,700.00
Expense allowance for Supervisor	600.00
Salary of County Managers, five @ \$400.00 each	2,000.00
Travel Expenses for Chairman	100.00
Salary of Clerk	2,400.00
Printing, postage and stationery	5,500.00
Contribution to the poor and needy of Barnwell County, to be expended under the direction of the County Board of Managers to cases not otherwise covered by law	2,000.00
Emergency Relief, to be disbursed under direction of the Department of Public Welfare	2,500.00
Travel for Child Welfare Worker	480.00
Expenses, Director Barnwell County DPW investigating hospital cases	300.00
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	\$ 20,440.00

Provided, That no charity patient shall be admitted to the Barnwell County Hospital unless

certified by the Barnwell County Department of Public Welfare.

Provided, That the item for printing, postage and stationery shall, by the County Board of Managers, be apportioned in the various offices in Barnwell County entitled to use said fund on a basis of the ratio hereinabove used, and no office or officer shall be allowed to use during the current year an amount in excess of the sum so apportioned by the said County Board of Managers.

Provided, Further, That the farm lands owned by the county and operated as the Poor House Farm shall be used by the County Board of Managers in its discretion for the growing of food stuffs for use by the County Chain Gang and County Hospital.

Item 10. Tax Collector's Office:

Salary of Tax Collector	\$ 1,800.00
Salary of Clerk	1,500.00
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	\$ 3,300.00

Item 11. Magistrates and Constables:

Magistrate at Barnwell	\$ 2,400.00
Expenses for Magistrate at Barnwell	300.00
Constable at Barnwell	780.00
Magistrate at Blackville	780.00
Constable at Blackville	780.00
Magistrate at Williston	780.00
Constable at Williston	780.00
Magistrate at Hilda	540.00
Constable at Hilda	540.00
Magistrate at Red Oak	540.00
Constable at Red Oak	540.00
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	\$ 8,760.00

Provided, That no warrant shall be issued to pay any Magistrate and his Constable until at the end of each month and such Magistrate has filed

his report of the proceedings in his Court and accounted for all monies collected.

Item 12. County Jail:

Dieting prisoners\$ 2,480.00
The Sheriff shall act as Jailor without additional compensation.

\$ 2,480.00

Item 13. Court Expenses:

Court Expenses\$ 2,500.00
Secretarial Help for the Judge of the Second
Judicial Circuit 500.00

\$ 3,000.00

Item 14. Health Work:

Physicians, County Jail and Chaingang\$ 400.00
Contribution to operation of County Health De-
partment to match State funds, as provided by
law\$ 3,453.20
Vital Statistics:
To pay local Vital Statistics Registrars, if so
much be needed 300.00
Contribution to Tuberculosis Work 500.00

\$ 4,653.20

Provided, that all monies expended by the County Health Department shall be spent upon the written approval of the Barnwell County Legislative Delegation.

Item 15. Public Buildings, including water, fuel, lights, insurance, also salary and expense of \$3,300.00 for Superintendent and Maintenance Engineer for all Public Buildings, including Courthouse, Office Building, Health Building, County Jail, Agricultural Building, County Farm Prison Building, and County Library\$ 19,000.00

\$ 19,000.00

Item 16. Farm and Home Demonstration Work:

County Agent's Work:	
County Agent, part salary	\$ 480.00
Boys' 4-H Club Work	75.00
Contingent, stamps, etc., for County Agent and Assistant County Agent	50.00
White Home Demonstration Agent:	
Girls' 4-H Club work and Women's HD work	75.00
Demonstration supplies for Home Demonstration Agent	75.00
Contingent, stamps, etc., for Home Demonstration Agent	25.00
Secretary, salary for Home Demonstration Agent	420.00
Telephone for County Agent and Home Demonstration Agent	100.00
Negro Agricultural Agent:	
Negro Boys' 4-H Club Work	75.00
Telephone for Negro Agricultural and Home Demonstration Agents	125.00
Contingent, stamps, etc., for Negro Agricultural Agent	25.00
Clerk, salary, Negro Agricultural and Home Demonstration Agent	960.00
Negro Home Demonstration Agent:	
Salary, Negro Home Demonstration Agent	1,044.00
Negro Girls' 4-H Club Work and Women's HD Work	75.00
Demonstration Supplies for Negro HD Agent ..	75.00
Contingent, stamps, etc., for Negro HD Agent ..	25.00
Barnwell Soil Conservation District	350.00
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	\$ 4,054.00

Item 17. Library Board, including water, fuel, lights, also salaries, purchase of books and periodicals, book binding, library supplies, Bookmobile operation and insurance, miscellaneous items, and Librarian's expenses to S. C. Library Association meeting	
	\$ 12,441.22
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	\$ 12,441.22

Provided, That upon the approval of the County Delegation of Barnwell County the Library Board of Barnwell County is authorized to enter into contracts and agreements with other county library boards of the State, and the South Carolina State Library Board and to fully cooperate therewith in encouraging and promoting the establishment and use of libraries, the procurement of funds therefor, and the efficient use of such funds in establishing and improving public library service.

Item 18. Miscellaneous:

Premium on Bonds	\$ 900.00
Post Mortems, Lunacy and Inquests	600.00
County Attorney	150.00
Board of Equalization	1,300.00
County Audit	1,200.00
S. C. Industrial Commission	1,580.57
S. C. Retirement System	3,483.26
Social Security Trust Fund	1,850.00
Contribution to Richardson-Walsh American Legion Hut	200.00
Contribution to American Legion Post at Williston	200.00
Contribution to American Legion Post at Blackville	200.00
Contribution to Barnwell County National Guard Maintenance Fund	750.00
Blue Cross—Blue Shield	3,214.20
Civil Defense (to be expended on approval of the Barnwell County Legislative Delegation) ..	2,750.00
Miscellaneous Contingent Fund	4,000.00
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	\$ 22,378.03

GRAND TOTAL	\$157,821.45
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Less Estimated Revenue other than Taxes:

Fines and Licenses	\$ 7,000.00
Commutation Tax	3,000.00
Gasoline Tax (1 cent)	64,000.00

Insurance License Fees	9,000.00
Liquor Tax	18,000.00
Income Tax	17,500.00
Miscellaneous	2,000.00
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	\$120,500.00

Amount to be Raised by Taxation \$ 37,321.45

SECTION 2. On and after the passage of this act, until specifically repealed, the road tax in Barnwell County shall be \$2.00 per year.

SECTION 3. The contingent fund herein created shall be spent only upon the written approval by the Legislative Delegation after being first approved by the County Board of Managers.

SECTION 4. Effective January 1, 1955, and each year thereafter, travel expense and/or travel expenses shall mean remuneration for services rendered.

SECTION 5. The County Board of Managers shall publish annually at the end of each fiscal year in a newspaper having general circulation in the county a report showing all the expenditures made by the said County Board of Managers during the said fiscal year.

SECTION 6. No claim shall be approved or warrant issued therefor unless claims be itemized and sworn to.

SECTION 7. *Provided,* That in case of vacancy by death, resignation or otherwise in the office of any magistrate, constable, or other officer in Barnwell County, the salary, expenses or other emolument shall be paid to only a successor who has been recommended for appointment by the Senator and Member of the House Delegation from Barnwell County.

SECTION 8. *Provided,* That at the end of the fiscal year 1962-63 the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account, and if the surpluses are not sufficient to cover deficits the treasurer is authorized and directed to charge said deficit against any surplus funds in hand, upon the written authority of the Legislative Delegation.

SECTION 9. In anticipation of the collection of taxes herein provided for, the Board of County Managers and the treasurer are authorized and empowered to borrow, on the credit of the county, such sums as are necessary to carry out the provisions of this act and to pledge current taxes in payment therefor. Such obligations shall be signed by the treasurer and the chairman of the Board of County Managers, attested by the clerk of such board.

The county treasurer is hereby authorized upon the approval of the Barnwell County Legislative Delegation at any time to borrow any such sum or sums of money on the credit of the county, as are necessary, for county purposes including necessary contributions to the maintenance and support of the Barnwell County Hospital.

SECTION 10. All American Legion Huts in Barnwell County are exempted from county taxes.

SECTION 11. All magistrates hereafter elected and/or appointed before qualifying shall file with the County Board of Managers good and sufficient bond conditioned for the faithful performance of their duties in the sum of \$500.00 which said bond shall be approved by the County Board of Managers.

SECTION 12. That no lunatic shall hereafter be confined in or committed to the county jail except for a period not exceeding five days awaiting transfer to the State Hospital; and the Probate Judge shall make no charge for any lunacy proceedings held unless the lunatic in question shall actually be committed to the State Hospital.

SECTION 13. The County Board of Managers and/or Supervisor are hereby directed to furnish from the chain gang a suitable trusty or trusties to be assigned for work in and about the courthouse, Barnwell County Hospital and other public buildings and grounds, for the maintenance and upkeep of same, and such shall be under the direction and control of the Superintendent and Maintenance Engineer for Public Buildings. *Provided*, The Board of Managers is authorized and directed to assign a trusty from the chain gang as a laborer at the county jail.

SECTION 14. The charge for weighing cotton in Barnwell County shall be twenty cents per bale, one-half of which shall be paid by the buyer and one-half by the seller.

SECTION 15. In the expenditure of the money appropriated in this act, only one-twelfth shall be spent each month, unless upon the written approval of the Legislative Delegation.

SECTION 16. There is hereby created a County Board of Health for Barnwell County, which shall be constituted as follows: a medical doctor to be named by the Barnwell County Medical Association, a veterinarian to be named by the veterinarians of Barnwell County, one citizen to be named by the Mayor and Town Council of the Town of Barnwell and one citizen to be named by the Mayor and Town Council of the Town of Blackville and one citizen to be named by the Mayor and Town Council of the Town of Williston. Said Board shall organize and elect a chairman and a secretary; it shall establish rules and regulations and enforce the same to the end that the health of the people of Barnwell County shall be promoted and protected. Said Board shall have all the powers and authorities usually performed by a Board of Health, shall meet on the call of the chairman at such times as the public health requires, in cases of emergency and otherwise, and the members shall receive a per diem of \$5.00 each per day in attendance upon meetings of the Board and travel at 5¢ per mile to and from their places of residence.

SECTION 17. Barnwell County is authorized to cooperate with any State or Federal Agency in providing additional recreational facilities for the county, and the county upon approval of the Legislative Delegation is authorized to transfer such county property as may be necessary to accomplish this end.

SECTION 18. All expenditures heretofore made upon the approval of the Barnwell County Board of Managers or the County Delegation from either the general, special or surplus funds of the county are hereby approved and ratified.

SECTION 19. Any overdrafts authorized by the County Board of Managers or by the County Delegation shall be charged to the general funds of the county and any funds so far or hereafter paid out in accordance with this plan are hereby validated.

SECTION 20. Grand and petit jurors shall each hereafter be paid at the rate of \$5.00 per court attendance day.

SECTION 21. *Provided,* That the maintenance and supervision of all public buildings in Barnwell County shall be under the supervision of the County Supervisor, and the office hours and the days the said offices shall be open shall be designated by the County Board of Managers.

SECTION 22. *Provided,* That the auditor and treasurer are hereby authorized and directed to levy and collect a tax of three mills on all the taxable property of Barnwell County not exempt by law, for the operation and maintenance of the Barnwell County Hospital.

SECTION 23. That the Blackville Manufacturing Company and the Blackville Industrial Board, Inc., are hereby exempted from all municipal, county and school taxes for a period of five years beginning January 1, 1959. That the Shuron Optical Company, Division of Textron, and Barnwell Industries, Inc., and The Bud Berman Plant at Williston are hereby exempted from all county and school taxes for a period of five years beginning January 1, 1961.

This tax exemption shall also apply to any and all new manufacturing business enterprises of the same investment and above locating in Barnwell County.

SECTION 24. Any law enforcement officer of Barnwell County having a case before any magistrate of the county shall obtain a statement from such magistrate showing the name of the defendant, the offense for which such defendant is charged and the amount of fine received by the magistrate if the defendant is convicted. Such statement shall be furnished by each magistrate on the request of the law enforcement officer, and the law enforcement officer shall file the statement with the treasurer of Barnwell County on or before the first day of each month following the issuance of said statement.

No law enforcement officer and/or magistrate of Barnwell County who fails to comply with the provisions of this section shall receive any salary.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R725, H2120)

No. 1037

A Joint Resolution To Determine The Wishes Of The Electors Of Beaufort County Concerning The Combining Of The Offices Of Auditor And Treasurer, How The Offices Shall Be Filled, And The Abolition Of The Fee System.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Beaufort County to have referendum concerning the combining of the offices of auditor and treasurer.—There shall be held in Beaufort County on February 20, 1962, an advisory referendum at which time the qualified electors shall vote upon the following matters, using ballots containing the following language:

1. Shall the offices of county treasurer and auditor be combined at the expiration of the terms of the present officials and be administered by a single official?

In favor of combining offices of auditor and treasurer ☐

Opposed to combining offices of auditor and treasurer ☐

2. If the offices of county treasurer and auditor are combined, shall the administering official be elected or appointed by the county board of directors with the approval of the county legislative delegation and subject to removal by the appointing body?

In favor of election ☐

In favor of appointment ☐

3. Upon the completion of their respective present terms, shall the county officials be paid a salary commensurate with the duties of their offices and be required to collect all fees provided for by law and to remit such fees to the county treasurer to be placed in the general fund?

In favor of officials retaining fees as part
of compensation ☐

Opposed to officials retaining fees as part
of compensation ☐

SECTION 2. Ballots.—The county commissioners of election shall have printed a sufficient number of ballots clearly stating the questions set forth in Section 1 of this act, with the necessary instructions, so as to permit the electors to indicate their preference on each of the questions.

SECTION 3. Polls.—The polls shall be open at the usual places and during the usual hours as in the case of elections to the General Assembly.

SECTION 4. Results.—After the closing of the polls and the counting of the ballots by managers designated by the election commission, the commission shall canvass the ballots and certify the results to the county legislative delegation.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R786, H2135)

No. 1038

An Act To Authorize The County Board Of Directors Of Beaufort County To Issue Not Exceeding Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Beaufort County To Provide Funds For Additional Public Hospital Facilities For Beaufort County; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which The Proceeds May Be Expended And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that heretofore pursuant to authorizations of Act No. 777 of 1942, and the authorizations of Act No. 492 of 1944, a public hospital was established in and for Beaufort County. The hospital is operated by the Board of Regents, established by Section 1 of Act No. 492 of 1944, and the hospital itself is now known as the Beaufort Memorial Hospital, its original name having been changed by Act No. 393 of 1955. The General Assembly finds that the existing hospital facilities as now constituted are inadequate, and that studies to determine the extent of the need for additional facilities and method of financing them have been conducted by the Board of Regents. It has now been determined that funds of the United States to the extent of the sum of five hundred thousand dollars are available under the Federal legislation commonly referred to as the Hill-Burton Act, and that such sum, if supplemented to the extent of two hundred fifty thousand dollars by moneys raised by Beaufort County, will make available seven hundred fifty thousand dollars. It has been further determined that such sum will be sufficient to construct and equip the needed public hospital facilities. On this basis the General Assembly has determined to make available to the Board of Regents the sum of two hundred fifty thousand dollars through the issuance of two hundred fifty thousand dollars of general obligation bonds of Beaufort County, whose issuance is authorized by this act.

SECTION 2. Beaufort Memorial Hospital—additional facilities authorized.—The Board of Regents of the Beaufort Memorial Hospital is authorized and empowered to acquire, construct and equip additional public hospital facilities for Beaufort County with the proceeds of the bonds authorized by this act, with moneys made available from the Federal Government, and with any other moneys or properties which the board may acquire by gift.

SECTION 3. Bond issue authorized.—In order to provide funds for the aforesaid purposes the County Board of Directors of Beaufort County (hereafter called “the county board”) is hereby authorized, upon the request of the Board of Regents, to issue general obligation bonds of Beaufort County in the principal amount of not exceeding two hundred fifty thousand dollars. These bonds shall not be issued unless and until the Board of Regents shall advise the county board in writing that there has been allocated or set aside for Beaufort County Federal funds to an extent sufficient to provide the required additional hospital facilities. Such written advices shall be conclusive evidence, upon which action looking to the issuance of bonds may be taken by the county board, and the actual receipt of funds shall not be deemed a condition precedent to the issuance of bonds.

SECTION 4. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the county board shall provide for, except that the first maturing bonds shall mature not later than two years from the date as of which they shall be issued, not less than three per cent shall mature in any year, and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

SECTION 5. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as

to principal on the books of the Treasurer of Beaufort County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the county board shall prescribe.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the county board.

SECTION 9. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the county board shall, by resolution, prescribe.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale after advertisement of the sale in a newspaper of general circulation in South Carolina, which published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of the bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Beaufort County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Beaufort County, and collected by the Treasurer of Beaufort County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the county, sufficient to pay the principal of and interest on the bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 13. Proceeds.—The proceeds derived from the sale of the bonds shall be paid to the Treasurer of Beaufort County, to be deposited in a bond account fund for the county board, and shall be expended and made use of as follows:

(a) All accrued interest shall be applied to the payment of the first instalment of interest to become due on the bonds.

(b) Any premium received upon the sale of the bonds shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used, upon the warrant or order of the Board of Regents, to defray the cost of issuing the bonds authorized hereby, and to pay costs to be incurred in acquiring, constructing and equipping additional public hospital facilities for Beaufort County.

(d) If any balance remain, it shall be held by the Treasurer of Beaufort County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 14. Additional powers.—The powers and authorizations hereby conferred upon the county board and the Board of Regents shall be in addition to all other powers and authorizations previously vested in them, and may be exercised by action taken at regular or special meetings. The compliance with the provisions of this act shall constitute all action necessary to effect the valid issuance and delivery of the bonds authorized hereunder.

SECTION 15. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R1211, H1815)

No. 1039

An Act To Provide For The Levy Of Taxes For County, School And Other Purposes For The Year 1962-1963 And Direct The Expenditure Thereof In Beaufort County; To Provide For Borrowing Money Under Certain Circumstances; And To Otherwise Regulate The Fiscal And Financial Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of so many mills as are necessary is hereby levied on all taxable property in Beaufort County, for county and

school purposes, for the fiscal year beginning July 1, 1962 and ending June 30, 1963, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appropriated. Such millage shall be determined by the Beaufort County Auditor and Treasurer, subject to the approval of a majority of the Beaufort County Legislative Delegation, including the Senator.

SECTION 2. For the fiscal year commencing July 1, 1962 there is hereby appropriated out of the general funds, if so much be necessary, the following :

Item 1. Roads, Bridges, Landings, Docks and Drainage :

Salaries and wages	\$ 55,000.00
Supplies and materials	25,000.00
Fuels and lubricants	7,500.00
Rights of way, borrow pits and engineering	1,500.00
Machinery and equipment	10,500.00
Docks and ferries	3,000.00

Total, Item 1\$102,500.00

Provided, that the Road Supervisor shall advertise and receive sealed bids in the purchase of all equipment and supplies of a value in excess of two hundred dollars where practicable. These purchases shall be made only with a purchase order approved by the County Board of Directors or its duly authorized agent. *Provided*, that not less than \$10,000.00 of the above amount shall be spent on construction, maintenance and improvements of public landings of Beaufort County. *Provided*, that the Beaufort County Board of Directors may enter into an agreement with the South Carolina Aeronautics Commission for the operation and maintenance of the County Airports, and further that the Beaufort County Board of Directors if deemed advisable, may enter into leases with any corporation or individual for the operation and maintenance or maintenance of the Beaufort County Airports. The Beaufort County Board of Directors is authorized to maintain and construct roadside parks.

Provided, further, that any drainage projects upon which funds from this item are expended shall be according to plans and specifications approved by the Soil Conservation Service of the United States, and not more than \$10,000.00 of this item shall be expended upon such projects.

Provided, further, that before any road shall be accepted by the board of directors for maintenance by the county, deeds of rights of way therein shall be obtained conveying rights of way meeting at least the minimum requirements of the S. C. State Highway Department with respect to State Secondary highways, and no paved road shall be accepted which does not meet at least the minimum standards set by the South Carolina Highway Department for its secondary roads.

Item 2. Salaries:

Supervisor	\$ 6,000.00
Clerk, County Board of Directors	3,360.00
Clerk of Court	2,286.90
Deputy Clerk of Court	2,640.00
Sheriff	6,966.00

Provided, that out of the sum herein appropriated, the sheriff shall be paid at the rate of \$8,700.00 a year commencing January 1, 1963, and at the 1961-1962 rate prior thereto.

Clerk to Sheriff	3,425.00
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Provided, that out of the sum herein appropriated the Clerk to Sheriff shall be paid at the rate of \$3,550.00 a year commencing January 1, 1963, and paid at the 1961-1962 rate prior thereto.

Assistant Clerk for Sheriff's office	2,400.00
Chief Deputy Sheriff	5,270.50

Provided, that out of the sum herein appropriated the Chief Deputy Sheriff shall be paid at the rate of \$5,400.00 a year commencing January 1, 1963, and at the 1961-1962 rate prior thereto.

Sergeant (Deputy)	5,000.00
<i>Provided</i> , that out of the sum herein appropriated the Sergeant (Deputy) shall be paid at the rate of \$5,100.00 a year commencing January 1, 1963, and at the 1961-1962 rate prior thereto.	
Deputy Sheriffs	28,314.00
<i>Provided</i> , the Sheriff's department shall enforce the provisions of Act No. 47 of the Acts of 1955, as amended, and shall work with and assist the Special Tax Assessor and the Auditor to accomplish the purposes of such act; and shall take out warrants and prosecute violations of such act. <i>Provided</i> , further, that two Deputy Sheriffs shall be assigned for duty in Bluffton and Hilton Head Townships.	
Jailer	2,746.70
Treasurer	2,922.15
Two Clerks, Treasurer's Office	5,280.00
Auditor	3,137.08
<i>Provided</i> , that out of the sum herein appropriated the Auditor shall be paid at the rate of \$3,352.00 a year commencing January 1, 1963, and at the 1961-1962 rate prior thereto. <i>Provided</i> , further, the Auditor shall receive from the State the additional sum of \$3,848.00.	
Special Tax Assessor	6,000.00
Office Expenses, including mileage at the rate of seven cents a mile	800.00
<i>Provided</i> , the Special Tax Assessor shall have the sole charge of and responsibility for the county's blueprint machine and shall charge for, collect and remit to the County Treasurer all funds received for the use of such machine other than for county purposes.	
Two Clerks, Auditor's Office	5,280.00
Attorney	300.00
Coroner	1,386.00
Board of Directors (Chairman)	526.50
Directors (four @ \$393.50)	1,574.00

Janitor, Courthouse	2,178.00
Janitor, County Office Building	2,178.00
Judge of Probate	3,404.05

Provided, that out of the sum herein appropriated the Probate Judge shall be paid at the rate of \$5,000.00 a year commencing January 1, 1963, and at the 1961-1962 rate prior thereto. *Provided*, further, the Judge of Probate is authorized to charge a fee of five dollars for marriage licenses to be paid to the Treasurer of Beaufort County after December 31, 1962.

Constables:

Daufuskie Island	300.00
Hilton Head	300.00

Magistrates:

Beaufort Township	2,420.00
St. Helena Township	1,705.00
Sheldon Township	1,485.00
Bluffton Township	1,182.50
Daufuskie Island	687.50
Hilton Head	1,000.00

Total, Item 2 \$112,454.88

Item 3. Health Unit:

Health Unit \$ 23,000.00

Provided, the above appropriation for expense of Health Unit shall be paid out as directed by the State Health Officer; *provided*, further, that there shall be employed for Beaufort County a Health Officer, two nurses, two sanitary inspectors and two clerks, unless waived in writing by the Beaufort County Legislative Delegation.

Social Diseases 1,000.00

Provided, the above appropriation for Social Diseases shall not be used until the sum of two thousand five hundred dollars is made available by the State Board of Health, the Federal Government, or any agency thereof.

Total, Item 3 \$ 24,000.00

Item 4. Public Buildings:

Public Buildings, including water, fuel and insurance\$ 20,000.00

Provided, the amount of money herein appropriated for Public Buildings shall include fuel necessary for the use of Beaufort County Jail and the monthly base rate for phone service at Lady's Island fire tower, and base rate for phone service for each South Carolina highway patrolman stationed in Beaufort County. Any income received from any agency for rent or in lieu of rent shall be credited to this item.

Total, Item 4\$ 20,000.00

Item 5. Printing, Postage and Stationery\$ 10,000.00

Provided, that no purchase shall be made under this item in excess of one hundred dollars except upon competitive bids where practicable.

Total, Item 5\$ 10,000.00

Item 6. Sheriff's Expenses:

Operation of Department, purchase, maintenance and repair of equipment\$ 14,000.00

Special Deputies—Hilton Head and Hunting Island 900.00

Total, Item 6\$ 14,900.00

Item 7. Farm and Home Demonstration:

White:

Salary County Agent\$ 300.00

Contingent Fund, County Agent 100.00

Clerical Assistance, County Agent and Home Agent 420.00

Contingent Fund, Home Demonstration Agent.. 135.00

Salary, Home Demonstration Agent 300.00

4-H Camp 200.00

Colored:

Salary, County Agent 748.68

Salary, Home Demonstration Agent 740.00

	Clerical Assistance, County and Home Demonstration Agents	1,500.00
	Demonstration Supplies, Home and County Agents	100.00
	4-H Camps	200.00
	Total, Item 7	\$ 4,743.68
Item 8.	Jail Expenses, including dieting	\$ 12,500.00
	<i>Provided</i> , the amount of money herein appropriated under Item 8 for Jail Expenses shall include the dieting of prisoners and chain gang; <i>provided</i> , further, that the jailer shall diet all prisoners in his care at cost, such cost not to exceed eighty-five cents per day for each prisoner. The jailer shall, at the end of each month, file with the County Board of Directors an itemized statement showing the number of prisoners dieted each day during the month and he shall be reimbursed at the rate above provided. The City of Beaufort prisoners may be lodged at a charge of one dollar and fifty cents per diem per prisoner, which total amount shall be credited to Item 8.	
	Total, Item 8	\$ 12,500.00
Item 9.	Bond and Insurance Premiums	\$ 6,500.00
	Total, Item 9	\$ 6,500.00
Item 10.	Post Mortems, Lunacies, etc.	\$ 1,800.00
	Total, Item 10	\$ 1,800.00
Item 11.	South Carolina Retirement System, County's share, and Social Security, County's share ...	\$ 17,000.00
	Total, Item 11	\$ 17,000.00
Item 12.	Travel:	
	County Service Officer	1,200.00
	Coroner	600.00
	All other County Officers	300.00
	Total, Item 12	\$ 2,100.00

Provided, the members of the County Board of Directors shall be allowed seven cents per mile for actual distance traveled in attendance on meetings of the board and, in addition to such mileage, shall receive actual expenses not exceeding, two dollars per day for each day in attendance on such meetings of the board. The directors, showing mileage traveled and expenses incurred in attendance, shall file a statement with the clerk of the board of directors.

Item 13. Department of Public Welfare:

Salary supplement for Director	\$ 1,500.00
Salary supplement for Child Welfare Worker ..	840.00
Mileage for Child Welfare worker	500.00
Emergency and Administrative funds	1,560.00
Foster Care Fund	300.00

Total, Item 13\$ 4,700.00

Item 14. Miscellaneous:

Board of Registration	\$ 200.00
National Guard Unit	750.00
Vital Statistics	500.00
Beaufort County Civil Defense	6,914.34

Provided, that the above funds shall be expended only after the approval of the budget by a majority of the legislative delegation, including the Senator.

Parks, Playgrounds and Recreation	3,000.00
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Total, Item 14\$ 11,364.34

Item 15. Jurors, Witnesses and Court Bailiffs\$ 5,500.00

Provided, the clerk of court and the sheriff shall pay a per diem of five dollars to all persons serving as jurors or court bailiffs and three dollars per diem to witnesses.

Total, Item 15\$ 5,500.00

Item 16. Beaufort County Development Board:

Secretary	3,300.00
Office Expenses	1,000.00

Travel Expenses	2,000.00
Professional and Engineering Fees	2,000.00
Per Diem for Board and Miscellaneous	1,200.00
Advertising, Promotion and Publications	6,000.00
Chambers of Commerce, Water Festival and Contingent Fund	8,000.00

Total, Item 16 \$ 23,500.00

Provided, that the facilities and employees shall be available for use of the Beaufort County Water Authority, Port Royal Ports Authority and the Legislative Delegation. *Provided*, further, that the Contingent Fund shall not be expended except upon prior written approval of a majority of the Beaufort County Legislative Delegation.

Item 17. Beaufort County Water Authority and Port Royal Ports Authority \$ 3,000.00

Provided, that the funds appropriated under this item shall be expended only upon the prior approval of the majority of the Beaufort County Legislative Delegation.

Total, Item 17 \$ 3,000.00

GRAND TOTAL \$376,562.90

SECTION 3. Building permits may be issued by the auditor, magistrates or Sheriff of Beaufort County and shall identify the property upon which the construction is proposed to be done in such manner as to enable the Special Tax Assessor to determine the exact location thereof. The person issuing the permit shall assist the Tax Assessor in locating such property on the county tax maps.

On or before the tenth day of each month, a record of all building permits issued during the preceding month shall be filed with the Special Tax Assessor and salary shall be withheld from any officer failing to comply with this paragraph.

SECTION 4. There is hereby appropriated out of the general county funds the sum of eighteen thousand dollars, if so much be necessary, as a contingent fund, three thousand dollars of which may be

spent upon the direction of the County Board of Directors to take care of any contingencies arising in the administration of matters for which appropriations are made, and fifteen thousand dollars of which may be disbursed by the treasurer and spent upon the direction of a majority of the legislative delegation, including the Senator, to take care of any contingencies arising for which no appropriations are made.

SECTION 5. All monies paid to the Treasurer, the Sheriff or other public officials of Beaufort County, as interest on the deposit of funds in their custody, shall be accounted for by such officials as public funds are accounted for. The interest received on account of such deposit of funds shall be added to the principal of such fund.

SECTION 6. All claims upon accounts, special expense accounts and expenditures herein authorized to be paid by the County Board of Directors, the County Board of Education and all other county agencies, except the salaries of officials as fixed herein and salaries of school teachers, shall first be itemized and verified by the payee and filed in the office of the respective board or agency before being paid by same. All authorized mileage shall be paid at the rate of seven cents per mile.

SECTION 7. The county treasurer is hereby authorized to borrow, in anticipation of the collection of taxes herein levied for general purposes and of other funds to be credited to the general county account, in an amount not to exceed fifty thousand dollars, if same be necessary; and he is hereby also authorized to borrow, in anticipation of school taxes herein levied, in an amount not to exceed one hundred fifty thousand dollars; if the funds are available in sinking funds in his hands the treasurer may loan such amount, taking the note of the County Board of Education, payable in not more than ten months, and bearing interest at not more than four per cent per annum. All interest earned on such loans shall be credited to the account from which the loan was made.

SECTION 8. For the maintenance of Beaufort County Library there is hereby appropriated the sum of fifteen thousand dollars, and the Auditor and Treasurer of Beaufort County are hereby authorized to levy and collect the necessary number of mills on all taxable property in Beaufort County, to be expended by the trustees of the library. The county treasurer, on or about the first day of February of each

year, shall report to the legislative delegation all funds collected from this source as well as showing all amounts turned over to the trustees of the library. All unexpended funds collected for the purpose herein stated which remain unexpended at the end of each year, shall be credited by the County treasurer to the trustees of the library for the ensuing year end shall not be turned into the county funds.

SECTION 9. To finance the maintenance and operation of the public school system of Beaufort County for the school year 1962-1963, there is hereby appropriated the sum of one million, nine hundred ten thousand one hundred twenty-two dollars, to be expended for the following purposes in the amounts indicated.

	<i>Dist. No. 1</i>	<i>Dist. No. 2</i>	<i>County Board</i>	<i>Total</i>
Administration	\$ 22,000.00	\$ 14,080.00	\$ 45,500.00	\$ 81,580.00
Instruction	1,289,678.00	177,662.00	1,467,340.00
Transportation	4,850.00	2,440.00	7,290.00
Operation	104,600.00	25,742.00	850.00	131,192.00
Maintenance	49,400.00	19,500.00	900.00	69,800.00
Fixed Charges	14,000.00	3,364.00	125.00	17,489.00
Food Services	17,000.00	4,256.00	21,256.00
Capital Outlay	18,300.00	3,000.00	1,750.00	23,050.00
Transportation	26,810.00	6,435.00	33,245.00
Lunchroom	53,800.00	53,800.00
Adult Education	3,000.00	1,080.00	4,080.00
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	\$ 1,549,638.00	\$ 257,559.00	\$ 102,925.00	\$ 1,910,122.00

This appropriation is based upon estimated revenue from county, State and Federal sources, and if such funds as estimated are not available, the operating budget shall be reduced to conform to the revenue.

All liquor tax, beer and wine tax, poll tax and dog tax accruing to the county shall be credited to the school fund from which the above appropriation is made, and all State aid to teachers' salaries accruing or paid to the county by the State and all Federal aid under the Farm Veterans program, the G. I. Training program, and the School Lunch program, and any other funds which may be available, shall be paid into the fund. There shall also be paid into the fund all other Federal aid accruing or paid to the county for school purposes.

Provided, the board of trustees of School District No. 1 is authorized to expend out of funds on hand such sum as may be necessary to provide fencing around playground area on school properties for the safety of the students.

Provided, the County Superintendent of Education is hereby authorized to utilize funds on hand to furnish basic textbooks without fee to pupils enrolled in the Beaufort County School System in Grades 1 through 6.

Provided, further, that any pupil enrolled in the Beaufort County School System in Grades 1 through 6 that are paying nonresident tuition fees shall be excluded from this provision.

The Beaufort County Board of Education is authorized to expend out of funds on hand so much as may be necessary to pave driveways and parking areas at the various schools within the county. Such paving shall be done pursuant to contracts let by the South Carolina State Highway Department.

SECTION 10. To finance the maintenance and operation of the University of South Carolina Extension at Beaufort, S. C., there is hereby appropriated the sum of thirty-three thousand forty-six dollars and four cents to be expended as follows:

Director's Salary	\$ 6,600.00
Secretary's Salary	2,400.00
Telephone and Telegraph	300.00
Utilities	1,400.00
Building Maintenance	1,700.00
Office Equipment, supplies and classroom furniture	1,650.00
Teaching Aids and Lab Supplies	1,500.00
Insurance	150.00
Payment on Microscope	1,496.04
Guarantee to University of South Carolina for Instruction and Library Fee	15,400.00
Athletics and Recreation	250.00
Miscellaneous	200.00
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Total	\$ 33,046.04

The Beaufort County Education Commission shall administer the expenditure of these funds. The appropriation herein provided shall be included in the levy for educational purposes. Any sums unexpended of the within appropriated funds shall revert to the general funds of Beaufort County.

SECTION 11. The County Board of Education is directed and authorized to pay out of the salary appropriated in Section 10 for Administration, the following:

Salary—Superintendent of Education\$ 1,320.00

The salary herein provided for the Superintendent of Education shall be in addition to and shall supplement the appropriation made in the State Appropriation Act for the salary of the County Superintendent of Education. The salary hereinabove provided to be paid by Beaufort County shall be paid in equal monthly installments.

SECTION 12. Neither the trustees nor the district superintendents of School Districts No. 1 and No. 2 of Beaufort County shall make any purchase or any contract for a purchase, nor shall they make any expenditure whatsoever of funds appropriated for school purposes, except upon the written approval of the County Superintendent of Education.

SECTION 13. For the operation and maintenance of Beaufort Memorial Hospital, there is hereby appropriated the sum of fifteen thousand dollars, if so much be necessary, to be paid to Beaufort Memorial Hospital in equal quarterly installments.

On the request of the Board of Regents, of the Beaufort Memorial Hospital Association, or its duly authorized agent, the Sheriff of Beaufort County shall provide transportation from any part of Beaufort County to the Beaufort Memorial Hospital of charity patients in the event of an emergency or a great need for the early transportation of such patient or patients to the hospital for the emergency or urgent treatment, operation, etc.

The Board of Regents of the Beaufort Memorial Hospital are authorized to expend such sums of money from this appropriation or from moneys on hand as they shall deem advisable for the beautification and maintenance of The Kate Gleason Memorial Park adjacent to the hospital not to exceed \$2,000.00.

SECTION 14. In order to facilitate the preparing of the county appropriation act by the Legislative Delegation, the county treasurer shall, on or before the first day of February of each year, in writing, report to the Legislative Delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source of such funds. He shall further report the disbursements made by him during the preceding calendar year showing the amounts disbursed on vouchers by the board of education, certificates or warrants of the clerk of court, and interest and principal paid on bonds. The county treasurer shall annually, not later than February first of each year, furnish the members of the Legislative Delegation with a detailed statement of the status of the bond account; school, county and Township of Beaufort County.

The County Board of Education of Beaufort County shall, on or before the first day of February of each year, report to the Legislative Delegation, in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by it for school purposes for the preceding fiscal year. It shall also furnish to the Legislative Delegation, on or before February first of each year an estimate of all anticipated revenues for the present school fiscal year. It shall also furnish to the Legislative Delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school fiscal year.

SECTION 15. All transfers of funds heretofore made by the county treasurer from one account to another, made upon the written request of a majority of the Beaufort County Legislative Delegation, including the Senator, are hereby validated.

SECTION 16. There is hereby appropriated the sum of thirty-five hundred dollars, if so much be necessary, for the establishment of a modern and efficient bookkeeping system and to have an audit made of county offices. A copy of the audit shall be forwarded to each member of the legislative delegation, solicitor and foreman of the grand jury.

SECTION 17. Any motor vehicle confiscated pursuant to law by enforcement officials of Beaufort County and any motor vehicle abandoned on the highways of Beaufort County and unclaimed after the notice provided for by law may be retained by such confiscating authorities for use in law enforcement purposes within the county. Funds derived from the sale of such vehicles shall be paid into the General Fund of Beaufort County.

Provided, an inventory of all vehicles and equipment retained by the confiscating authority shall be furnished to the County Board of Directors semiannually.

SECTION 18. The Beaufort County Board of Directors may rent to any person the road equipment of Beaufort County under the following conditions:

(a) The county equipment must have been engaged in the performance of county work immediately preceding such rental at the site of the job or project for which it is desired to be rented;

(b) The equipment shall be operated by a county employee regularly employed for such purpose and the rental of such equipment

shall be charged for at the rate then prevailing in Beaufort County and the value of the work done shall not exceed fifty dollars.

Provided, that upon the board of directors' determination that an emergency need for the equipment exists, the above limitations shall not apply.

Provided, further, that the above limitation shall not apply when rented to the State, any subdivision thereof or municipality.

SECTION 19. No person or position for which a salary is specifically appropriated in this act shall be paid or receive additional compensation from county funds for service performed in the job or position for which such salary is appropriated.

Where practical holidays as set forth in Sections 64-151 to 64-153 of the 1952 Code shall be observed by all county offices.

SECTION 20. Any amount appropriated in this act may be discontinued at any time by an order of a majority of the Beaufort County Legislative Delegation, including the Senator, obtained at a regularly called meeting.

SECTION 21. The Treasurer of Beaufort County is hereby authorized, upon approval by a majority of the legislative delegation, including the Senator, to borrow for general county purposes not exceeding one hundred thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Treasurer of Beaufort County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

For the payment of the note or notes, the Auditor of Beaufort County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 22. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1252, H2726)

No. 1040

An Act To Amend Act No. 481 Of The Acts Of 1961, Relating To The Forest Beach Public Service District, So As To Enlarge The Functions Of Forest Beach Public Service District So As To Include In Its Functions The Power Of Constructing And Operating A Public Sewer System, And To Increase The Authorization To Issue Bonds To The Extent Of Two Hundred Twenty-five Thousand Dollars.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 4 of Act 481 of 1961 amended—powers and duties.—Section 4 of Act No. 481 of the Acts of 1961 is amended in the following particulars:

(1) Strike the first paragraph and insert in lieu thereof the following:

“There is committed to the district the function of preserving the public health and safety of the district through the means of providing a public system of water supply for drinking and fire-fighting purposes and through the means of providing a public system for sewage disposal. There is also committed to the district the function of preventing and controlling beach erosion. Additional functions may also be committed to the district by subsequent legislation. The commission shall be empowered as follows:”

(2) Strike Item 8 and insert in lieu thereof the following:

“8. To build, acquire, construct, operate and maintain such water-works system and sewage system as shall, in the opinion of the commission, be necessary for the district.”

(3) Strike Item 11 and insert in lieu thereof the following:

"11. To impose such schedule of rates and charges for the use of water and sewage disposal facilities as the commission shall from time to time approve. To that end the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates for water and sewer service made available by it to persons, firms, and corporations within the district."

SECTION 2. Section 5 of Act 481 of 1961 amended—issuance of bonds.—Amend Section 5 of Act No. 481 of the Acts of 1961 as follows:

(1) Strike the first paragraph and insert in lieu thereof the following:

"As one method of raising money to acquire and to enlarge and improve the waterworks system required for the district, and to construct a sewage disposal system, the commission, on behalf of the district, shall be empowered to issue not exceeding two hundred twenty-five thousand dollars of general obligation bonds of the district, whose proceeds shall be used for said purposes, including the payment of such interest on the bonds as may be capitalized. All or any general obligation bonds issued pursuant to this paragraph may be additionally secured by a pledge of the net revenues to be derived from the operation of the waterworks system and sewage disposal system to such extent as the commission shall determine to pledge the same, it being specifically recognized that the commission may thereafter wish to provide for further obligations of the district, secured by a pledge on a parity with the pledge herein required. The words 'net revenues' as used in this paragraph shall mean that sum remaining from the aggregate of all moneys realized by the district from rates and charges imposed and collected for water service and sewage disposal service after paying the cost of operation and maintenance of the waterworks system and the sewage disposal facilities."

(2) Strike Subsection (e) and insert in lieu thereof the following:

"(e) There shall be irrevocably pledged for the payment of the bonds and interest thereon, as the same mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Beaufort County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest thereon as they respectively mature, and to create such sinking fund as may be necessary

for the redemption of the bonds and interest at their respective maturities. The bonds may be additionally secured by such pledge of the net revenues which the district may derive from the operation of the waterworks system and sewage disposal system as the commission shall provide. In such event, such net revenues as shall be available shall be delivered to the Treasurer of Beaufort County prior to the occasion when the auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues as aforesaid actually in the hands of the Treasurer of Beaufort County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid."

SECTION 3. Section 6 of Act 481 of 1961 amended—borrowing of money.—Section 6 of Act No. 481 of the Acts of 1961 is amended as follows:

(1) Strike the first paragraph and insert in lieu thereof the following:

"In order to provide further methods by which the district may from time to time raise money, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness, payable solely from all or any part of the revenues derived from the operation of its waterworks system and sewage disposal system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of such system, or such sum as may be needed to pay the cost of any extension, addition and improvement to such system. If this authorization be availed of then under such circumstances, neither the faith and credit of the State of South Carolina, nor of Beaufort County, nor of the district, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money pursuant to this section may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 9, Chapter 3, Title 59, and by Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this pro-

vision that further amendment and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the district may.”

(2) Strike Item 1 and insert in lieu thereof the following:

“(1) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its waterworks system and sewage disposal system, as such net revenues may be defined by the commission.”

(3) Strike Item 3 and insert in lieu thereof the following:

“(3) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the waterworks system and sewage disposal system, whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.”

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1253, H2727)

No. 1041

An Act To Empower The Forest Beach Public Service District Commission To Borrow Not Exceeding Forty-Five Thousand Dollars; To Prescribe Methods By Which Said Moneys May Be Borrowed; To Prescribe The Purposes For Which The Proceeds Of Such Borrowing May Be Expended; And To Make Provision For The Payment Of All Notes And Bonds Issued Pursuant To This Act.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the creation of Forest Beach Public Service District, on Hilton Head Island, in Beaufort County, South Carolina (the district), which was established by Act No. 481 of the Acts of 1961, and that included in the functions committed to the district was that of preventing and controlling beach erosion.

It further takes note of the fact that although methods were made available to the district for the issuance of bonds with which to acquire, enlarge and improve a public waterworks system, no method of financing the cost of preventing and controlling beach erosion was made available to the district. It takes note of the fact that considerable beach erosion persists in a portion of the district, and that steps to correct the same should be taken. It has therefore determined to permit the Forest Beach Public Service District Commission (the commission) to obtain forty-five thousand dollars through the issuance and sale of general obligation bonds of the district, whose issuance is herewith authorized.

SECTION 2. Forest Beach Public Service District authorized to issue bonds.—The commission is hereby authorized to issue not exceeding forty-five thousand dollars of general obligation bonds of the district to obtain moneys to be used for the purpose of preventing and controlling beach erosion in the district.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall bear such date and shall mature in such annual series or installments as the commission shall provide, except that no bond issued pursuant to this act shall mature more than twenty years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the commission, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 5. Form.—All bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, and as such

shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Place of payment.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State as the commission shall prescribe.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the commission.

SECTION 8. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the commission shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale, after public advertisement of the sale in a newspaper of general circulation in South Carolina. In such event the published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Forest Beach Public Service District, on Hilton Head Island, in Beaufort County, S. C., shall be irrevocably pledged, and there shall be levied annually by the Auditor of Beaufort County, and collected by the Treasurer of Beaufort County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 12. Use of proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Beaufort County, to be deposited in a Bond Account Fund for the commission and shall be expended and made use of by the commission as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to pay costs to be incurred in the prevention and control of beach erosion in the district.

(d) If any balance remains, it shall be held by the Treasurer of Beaufort County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 13. Powers of commission.—The powers and authorizations hereby conferred upon the commission shall be in addition to all other powers and authorizations previously vested in the commission.

SECTION 14. Payment.—At any time prior to the issuance of bonds authorized pursuant to this act the commission is authorized and empowered to make temporary loans evidenced by its notes and repayable from the proceeds of bonds authorized by this act, in order to raise immediately the sums required for its contemplated program of beach erosion control, and to that end is expressly authorized and empowered to negotiate with any public agency in Beaufort County to secure such loan. If, pursuant to this act, moneys shall be borrowed in this fashion, the same shall be repayable from the proceeds of the bonds authorized by this act, and in the event that the notes shall not be paid on maturity by reason of the inability to sell bonds, it shall be the duty of the commission to deliver bonds of the district to the holder of such note in payment thereof.

SECTION 15. Saving Clause.—If the provision of this act relating to temporary borrowing set forth in Section 14 hereof is held invalid, it shall not affect or impair the validity of the remainder of this act, it being expressly declared that the inclusion in this act of the provision permitting temporary borrowing is a separable provision and does not constitute a matter of inducement to the passage of the remaining provisions of this act.

SECTION 16. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1262, S667)

No. 1042

An Act To Create The Fripps Island Public Service District; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Of Its Commission; To Make Provision For The Borrowing By The District, Including The Issuance Of General Obligation Bonds; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed And To Make Provision For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Beaufort County—Fripps Island Public Service District created—area.—There is hereby created and established on Fripps Island in Beaufort County a special purpose district to be known as “Fripps Island Public Service District,” which district shall be a public corporation of perpetual succession, and shall have the area and functions prescribed by this act and any subsequent act amendatory thereof. The district shall include and be comprised of that area on Fripps Island.

SECTION 2. To be governed by commission—members—appointments—terms—vacancies.—The district shall be operated, managed and governed by a commission to be known as “Fripps Island Public Service District Commission.” The commission shall consist of three resident electors of Beaufort County who shall be appointed by the Legislative Delegation of Beaufort County, including the Senator. The original appointments shall be for a term of one year for one appointee, for two years for the second appointee, and for three years for the third appointee, and in all cases those persons holding office shall continue to hold office until their successors have been appointed and qualify. All of the terms shall begin on the effective date of this act. Upon the termination of the term of office of any commissioner, a successor shall be appointed by the Legislative Delegation of Beaufort County, including the Senator, for terms of three years. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise shall be filled for the remainder of the unexpired term by appointment by the Legislative Delegation of Beaufort County, including the Senator.

SECTION 3. Powers and duties.—There is committed to the district the function of preserving the public health and safety of the district through the means of providing a public system of water

supply for drinking and fire-fighting purposes. There is also committed to the district the function of preventing and controlling beach erosion. Additional functions may also be committed to the district by subsequent legislation. The commission shall be empowered as follows:

1. To have perpetual succession.
2. To sue and be sued.
3. To adopt, use and alter a corporate seal.
4. To make bylaws for the management and regulations of its affairs, and to define a quorum for its meetings.
5. To deposit moneys derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.
6. To prescribe such regulations as will enable the commission to fully discharge all duties imposed upon it and to protect all property acquired by it. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission, and a certified copy thereof has been recorded in the office of the Clerk of Court for Beaufort County, and additional copies have been posted in the Courthouse for Beaufort County and in at least two public places in the district, and notice of the adoption of such regulations published at least once during each of three successive weeks, in a newspaper published in and having circulation in Beaufort County. Such notice shall specify, in brief, the scope of the regulations and shall state the date on which the same shall become effective. The commission is expressly authorized to apply to any court of general jurisdiction for the enforcement of such regulations through the means of mandatory injunctions and other remedial proceedings, and such courts are specifically empowered to render mandatory injunctions and such other remedial orders as shall appear to such courts to be just and equitable.
7. To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.
8. To build, acquire, construct, operate and maintain such waterworks system as shall, in the opinion of the commission, be necessary for the district.
9. To acquire and operate such facilities as shall be required for the protection of lives and property against fire and other hazards arising therefrom.

10. To take such action as shall be required to prevent and control beach erosion within the district.

11. To impose such schedule of rates and charges for the use of water as the commission shall from time to time approve. To that end the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates for water service made available by it to persons, firms and corporations within the district.

12. To make use of county and state highway rights of way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

13. To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1952, or by the following of the procedure for the exercise of eminent domain prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1952, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

14. To appoint officers, agents, employees and servants, prescribe the duties of such, fix their compensation, and determine if and to what extent they shall be bonded for the faithful performance of their duties.

15. To make contracts for construction, engineering and other services, upon competitive bidding where practicable.

16. To raise funds for corporate purposes of the district by causing the levy of a tax therefor. The commission shall notify the auditor and treasurer of any desired tax, whereupon they shall assess and collect the tax as requested and the treasurer shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which the same are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the nonpayment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

17. To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

SECTION 4. Issuance of bonds.—As one method of raising money to acquire and to enlarge and improve the waterworks system re-

quired for the district, the commission, on behalf of the district, shall be empowered to issue not exceeding two hundred thousand dollars of general obligation bonds of the district, whose proceeds shall be used for said purposes, including the payment of such interest on the bonds as may be capitalized. All or any general obligation bonds issued pursuant to this paragraph may be additionally secured by a pledge of the net revenues to be derived from the operation of the waterworks system to such extent as the commission shall determine to pledge the same, it being specifically recognized that the commission may thereafter wish to provide for further obligations of the district, secured by a pledge on a parity with the pledge herein required. The words "net revenues" as used in this paragraph shall mean that sum remaining from the aggregate of all moneys realized by the district from rates and charges imposed and collected for water service after paying the cost of operation and maintenance of the waterworks system. If, pursuant to this paragraph, general obligation bonds are issued:

(a) They shall be issued as a single issue or, from time to time, as several separate issues. They shall bear such date or dates as the commission shall determine, and the bonds of any issue shall mature in such equal or unequal annual installments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe, and shall bear interest at such rate or rates, payable in such manner as the commission may determine. The bonds may be registered, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Beaufort County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity on such terms and conditions, and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale, and at least ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale the commission may reserve the right to reject any and all bids, and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts and Joint Resolutions of South Carolina, 1952.

(d) Such bonds shall be executed in such manner as may be prescribed by the commission. *Provided*, however, that neither the members of the commission, nor any person signing the obligations shall be personally liable thereon.

(e) There shall be irrevocably pledged for the payment of the bonds and interest thereon, as the same mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Beaufort County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest thereon as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. The bonds may be additionally secured by such pledge of the net revenues which the district may derive from the operation of the waterworks system as the commission shall provide. In such event, such net revenues as shall be available shall be delivered to the Treasurer of Beaufort County prior to the occasion when the Auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues as aforesaid actually in the hands of the Treasurer of Beaufort County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(f) The pledge of net revenues authorized by subparagraph (e) of this section need not, in the discretion of the commission, be exclusive, and the commission may reserve the right to issue further bonds, payable in whole or in part, from such net revenues, on a parity with the bonds authorized by this section, under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Beaufort County in a separate and special fund, and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others, except that any premium received shall be deposited with the Treasurer of Beaufort County and by him applied to the first installment of principal becoming due on the bonds, and any accrued interest

received shall be applied by the Treasurer of Beaufort County to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sale.

SECTION 5. Borrowing of money.—In order to provide further methods by which the district may from time to time raise money, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness, payable solely from all or any part of the revenues derived from the operation of its waterworks system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of such system, or such sum as may be needed to pay the cost of any extension, addition and improvement to such system. If this authorization be availed of, then, under such circumstances, neither the faith and credit of the State of South Carolina, nor of Beaufort County, nor of the district, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money pursuant to this section may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 9, Chapter 3, Title 59, and by Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that further amendment and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the district may:

(1) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its waterworks system as such net revenues may be defined by the commission.

(2) Covenant and agree that upon its being adjudged in default as to the payment of any installment of principal or interest upon

any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(3) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the waterworks system, whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(4) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(5) Make such provisions for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(6) Covenant and agree that the payments into any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in fixed amounts.

(7) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation or any subdivision or division of the State.

(8) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(9) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R771, H2200)

No. 1043

An Act To Empower The County Board Of Education Of Berkeley County In Its Capacity As The Board Of Trustees Of The School District Of Berkeley County To Issue Not Exceeding Seven Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The School District Of Berkeley County, To Prescribe The Conditions Under Which The Bonds May Be Issued, The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that increased population growth of Berkeley County has resulted in a need for additional public school facilities and to that end has determined to authorize the County Board of Education of Berkeley County, in its capacity as the Board of Trustees of The School District of Berkeley County (hereinafter called the "Board"), to issue and sell, either as a single issue, or, from time to time, as several separate issues, not exceeding seven hundred fifty thousand dollars of general obligation bonds of The School District of Berkeley County (hereinafter called the "School District").

SECTION 2. Additional school facilities and bond issue authorized.—The Board is hereby authorized and empowered to provide such additional public school facilities as it shall deem necessary, and to repair, enlarge and improve the existing facilities. It is further empowered to acquire land for school purposes and to acquire all equipment that it may deem needed for existing or new facilities. In order to raise moneys to provide such additional public school facilities for the School District, the Board be and it is hereby authorized and empowered to issue and sell general obligation bonds of the School District (without the necessity of holding any election), to the extent of not exceeding seven hundred fifty thousand dollars, on such occasions prior to December 31, 1964, as the Board shall prescribe, provided that no bonds of the School District shall be issued, if on the particular occasion that the bonds are issued the applicable constitutional debt limitation shall be exceeded.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the Board shall provide

for, except that the first maturing bonds of any issue shall mature within two years from the date as of which they shall be issued; not less than three per cent of any issue shall mature in each year; and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the Board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of the bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Berkeley County, upon such conditions as the Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the Board.

SECTION 8. Execution.—The bonds and the coupons to be thereunto attached shall be executed in such manner as the Board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of The School District of Berkeley County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Berkeley County and collected by the Treasurer of Berkeley County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in The School District of Berkeley County, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Berkeley County, to be deposited in a Bond Account Fund for The School District of Berkeley County, and shall be expended and made use of as follows:

- (a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.
- (b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.
- (c) The remaining proceeds shall be expended, upon the warrant or order of the Board, for the following purposes:
 - (i) To defray the costs of issuing the bonds authorized by this act;
 - (ii) To provide for additional public school facilities for the School District in the manner contemplated by Section 2 of this act.
- (d) If, after the final completion of the Board's program, the Board shall certify to the Treasurer of Berkeley County that any remaining balance in the Bond Account is no longer needed for its program, then such balance shall be held by the Treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers of Board.—The powers and authorizations hereby conferred upon the Board shall be in addition to all other powers and authorizations previously vested in the Board and may be

availed of pursuant to action taken at any regular or special meeting of the Board.

SECTION 14. No further action necessary.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the Board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Certain powers restored.—Subsequent to December 31, 1964, all powers to issue bonds by the Board under any general law then existing shall be restored.

SECTION 16. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R1250, H2712)

No. 1044

An Act To Provide For The Levy Of Taxes For General County Purposes And To Provide For The Levy Of Taxes For School Purposes For Berkeley County For The Fiscal Year Beginning July 1, 1962; To Direct The Expenditures For General County Purposes; And Relating To The Administration Of The Business Of Berkeley County And To Provide For A Bond Issue, The Repayment And The Utilization Of The Funds Derived From The Issue.

Be it enacted by the General Assembly of the State of South Carolina:

PART I

SECTION 1. A tax of sixteen mills is hereby levied upon all the taxable property of Berkeley County for county purposes for the fiscal year beginning July 1, 1962 which, together with all the monies then in the hands of the county treasurer, or coming into his hands after July 1, 1962; from fines, forfeitures, fees, executions or otherwise, or in the bank or banks for the use of the county and not specifically pledged for some other purpose, shall be used and same

is hereby appropriated in the amount and for the purposes hereinafter stated :

Item 1. Roads and Bridges	\$ 72,000.00
Total, Item 1	\$ 72,000.00
Item 2. Salaries:	
A. Clerk of Court	\$ 1,500.00
<i>Provided</i> , the clerk of court shall receive in addition the fees of his office as provided by law.	
B. Clerks to Clerk of Court (2)	6,600.00
C. Sheriff	5,000.00
<i>Provided</i> , the Sheriff shall receive an allowance \$250.00 per month for travel and expenses	3,000.00
<i>Provided</i> , further, the Sheriff shall be furnished an automobile for official duties; and the Sheriff's office shall retain fees for service of papers.	
<i>Provided</i> , further, funds derived from the sale of automobiles confiscated by the Sheriff's office shall be earmarked for the purchase of automobiles for this office; and the Sheriff's office may use automobiles confiscated rather than selling same.	
D. Clerk to Sheriff	3,300.00
E. (a) Four Deputy Sheriffs, including travel, uniforms, radio equipment and decals	21,200.00
<i>Provided</i> , a breakdown of this appropriation shall be approved by a majority of the county legislative delegation prior to disbursement.	
(b) Radio-Teletype Operator	3,000.00
F. Tax Collector	4,000.00
<i>Provided</i> , the Tax Collector shall receive an allowance of \$200.00 per month for travel and expenses	2,400.00
<i>Provided</i> , further, the Tax Collector shall be furnished an automobile for official duties.	
G. Clerk to Tax Collector	3,300.00
H. (a) Jailer	3,000.00
(b) Matron for Jail—\$25.00 per month	300.00
I. Treasurer (see proviso below)	2,000.00
J. Clerks to Treasurer (2)	6,600.00

K. Auditor (see proviso below)	2,000.00
L. Clerks to Auditor (2)	6,600.00
<i>Provided</i> , the Auditor and Treasurer shall receive in addition to the respective salaries, the fees of their offices as provided by law; the salary paid them by the State, which is \$3848.00 and the sum of \$600.00 each for travel	
	1,200.00
M. Probate Judge	4,000.00
<i>Provided</i> , the Probate Judge shall receive all fees of the office, including marriage license fees.	
N. Clerk to Probate Judge	3,300.00
O. (a) Master in Equity	2,000.00
<i>Provided</i> , the Master shall receive all fees of the office.	
(b) Office Expenses	1,500.00
P. Coroner	1,200.00
Q. Supervisor	5,000.00
<i>Provided</i> , the Supervisor shall also receive \$250.00 per month for travel	
	3,000.00
R. Clerk to Supervisor	3,300.00
S. Clerk to Solicitor	300.00
T. County Attorney	3,600.00
<i>Provided</i> , the County Attorney shall upon official request furnish legal advice and services to any person holding a county or school office; <i>Provided</i> , further, that he shall represent the county in all suits in which the county is named as party, and shall not appear as attorney against the county or any school unit thereof.	
U. Assistant Solicitor	600.00
V. Magistrates and Constables:	
(1) Nine Magistrates at \$720.00 each	6,380.00
(2) One Magistrate at County Seat	1,920.00
(3) One Magistrate at St. Stephen	1,320.00
(4) One Magistrate at Bonneau	1,320.00
(5) One Magistrate at Hanahan District	1,620.00
(6) One Magistrate at Jamestown	1,320.00
(7) One Magistrate at Goose Creek	1,320.00
(8) Office rent for Magistrates	1,800.00
<i>Provided</i> , that each magistrate before receiving his salary for any month shall file with the coun-	

ty treasurer, on or before the fifth day of the ensuing month, an itemized statement of all cases handled during the month for which he is being paid, showing the fines or sentences imposed or other disposition made of cases; and at such time shall pay over to the treasurer all fines or forfeitures collected for the county. His failure to do so shall cause the forfeiture of his salary for the month or months of such failure.

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| (9) | Thirteen Constables at \$720.00 each | 9,360.00 |
| | <i>Provided</i> , that no Constable is provided for the Magistrate at the County Seat as processes issued by him shall be served by the Sheriff's office. | |
| (10) | Magistrate's Constables and Radio Dispatchers in Hanahan District | 13,375.00 |
| (11) | Magistrate's Constables at Goose Creek | 5,400.00 |
| (12) | Magistrate's Constables at St. Stephen | 5,520.00 |
| | <i>Provided</i> , a breakdown of the appropriations in (10), (11) and (12) hereinabove shall be approved by a majority of the county legislative delegation prior to disbursement. | |
| W. | Janitors—Office Building and Courthouse | 7,200.00 |
| X. | Special Beach Deputies | 1,400.00 |
| Y. | Berkeley County Civil Defense | 7,500.00 |
| | <i>Provided</i> , a budget showing details of this appropriation shall be approved by a majority of the county legislative delegation prior to disbursement. | |
| | Total, Item 2 | \$169,555.00 |
| Item 3. | County Health Department: | |
| | Operation, Maintenance and Incidentals | \$ 15,000.00 |
| | Total, Item 3 | \$ 15,000.00 |
| Item 4. | County Boards and Farm Offices: | |
| A. | County Board of Education (\$100.00 each) . . \$ | 600.00 |
| B. (1) | Nine County Tax Assessors | 2,700.00 |
| (2) | Tax Board of Review | 2,700.00 |
| C. | Boys' 4-H Club Work | 300.00 |

D. Girls' 4-H Club Work and Women's Work . . .	300.00
E. Clerk to Home Demonstration Agent (part time)	540.00
F. Clerk to County Agent (Supplement)	540.00
G. Demonstration Supplies, both offices	100.00
H. Stamps and Incidentals, both offices	50.00
I. Negro Agriculture Agent (Supplement)	720.00
J. Negro Home Demonstration Agent (Supplement)	720.00
K. Negro Boys' 4-H Club Work	275.00
L. Negro Girls' 4-H Club Work and Women's Work	275.00
M. Office expense—Negro Ag. and H. D. Agents . .	125.00
N. Clerical expense—Negro Ag. and H. D. Agents	1,500.00
O. Soil Conservation Committee	200.00
P. Supplement County Agent and Associate Agent for Travel, \$480.00 each	960.00
Q. Assistant Agent for travel	480.00
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Total, Item 4	\$ 13,085.00
Item 5. Department of Public Welfare:	
A. Supplement to County Director's Salary	\$ 600.00
B. Travel for five Field Workers	2,000.00
C. Foster Home Care	1,500.00
D. Emergency Relief	1,000.00
E. Conference Attendance Expenses	75.00
F. Salary Supplement—Child Welfare Worker . . .	1,200.00
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Total, Item 5	\$ 6,375.00
Item 6. Jail and Prisoners:	
A. Maintenance of Prisoners for dieting, etc., claims to be approved by Sheriff	\$ 5,000.00
B. Transporting Prisoners	500.00
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Total, Item 6	\$ 5,500.00
Item 7. Miscellaneous Appropriations:	
A. Jurors, Witnesses and Bailiffs	\$ 4,000.00
<i>Provided, that jurors at Coroner's inquest shall receive pay in the same manner and amount as circuit court jurors.</i>	
B. Assistance to aged, helpless and poor by the county	4,000.00

C. Post-mortems, inquests and lunacies	1,000.00
D. Courthouse and County Office Building—Main- tenance and Operation	18,000.00
E. Workmen's Compensation and Retirement	17,000.00
F. Printing, postage, record books, and office sup- plies for county offices	7,000.00
<i>Provided, prior to purchases desired hereunder, requisitions shall be made to the county super- visor and approved by him before such pur- chases shall be made.</i>	
G. Vital Statistics	675.00
<i>Provided, that each registrar shall receive fifty cents per registration. No registrar shall receive less than twenty-five dollars per year.</i>	
H. Berkeley County Library—salaries, operation and maintenance	18,000.00
<i>Provided, a budget showing details of the appro- priation shall be approved by a majority of the county legislative delegation prior to disburse- ment.</i>	
I. Miscellaneous Contingent Fund	5,000.00
J. Supplement for County Board of Registration— \$300.00 each	900.00
K. Service Officer—travel and office expenses	600.00
<i>Provided, the Service Officer shall also be paid the full appropriation by the State for this office.</i>	
L. County Development Board	7,500.00
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Total, Item 7	\$ 83,675.00
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GRAND TOTAL—APPROPRIATIONS ..\$365,190.00

Estimated Revenue:

State Sources:

One cent gasoline tax (less \$11,500.00 pledged for Purchase of Machinery)	\$ 75,500.00
Income Tax	68,000.00
Alcoholic liquor tax	30,000.00
Beer and wine tax	7,000.00
Insurance license tax	15,000.00
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Total derived from State Appropriations herein \$195,500.00

County Sources:

Sixteen mills property tax and executions	\$125,000.00
Road tax and executions	10,000.00
Fines and forfeitures	21,000.00
Santee-Cooper payment in lieu of property taxes	15,500.00

Total derived from County Sources for Appropriations herein	\$171,500.00
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GRAND TOTAL—ESTIMATED REVENUE	\$367,000.00
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SECTION 2. For the purpose of providing hospital care for the indigent in Berkeley County, there is hereby levied a tax of four mills on all taxable property in Berkeley County. Such tax shall be levied and collected by the same officers and in the same manner as provided by law for the collection of taxes levied for corporate purposes in Berkeley County, and the monies so collected shall be placed to the credit of the Berkeley County Hospital, a private eleemosynary institution, and shall be paid by the county treasurer on warrants approved by the county supervisor. The funds provided herein are in addition to the allocation of fifty cents per capita from the income tax for hospital care under State law.

SECTION 3. All items herein which are to be paid out as salaries for officers or clerks of the county shall be expended in the usual manner in twelve equal monthly installments and not otherwise, and no more, and in case any officer or clerk, as aforesaid, shall resign, or otherwise vacate his or her office or position before the expiration of the fiscal year, he shall be entitled to said monthly installments on a pro rata basis for the month, or parts of month actually served, and no more; *provided*, that all appropriations herein for clerks shall only be paid to clerks regularly employed and serving in the office in which employed during the office hours of such office. Each of the clerks shall have five and one-half days annual leave per year and their absence from their respective offices for any cause other than sickness for any day or days beyond their period of annual leave shall cause their salary for such day or days to be deducted.

SECTION 4. It is hereby reaffirmed by the county legislative delegation that all purchases paid for by the county shall be made from business concerns within the county insofar as same is economically

feasible and such purchases shall be fairly divided among the concerns in the county.

SECTION 5. For the purpose of paying in cash the foregoing and all other general, ordinary or special county expenses for the fiscal year beginning July 1, 1962, as authorized by this act, or otherwise appropriated, in anticipation of the collection of taxes, or the receipt of revenues from the State, the County Supervisor and County Treasurer of Berkeley County are hereby authorized to borrow, from time to time, as may be necessary in their judgment, on note or notes, or other evidences, of indebtedness of the county, executed by the county officials from any person, firm or corporation, or from the Treasurer's Reserve Fund, or other dormant funds; and the sum or sums so borrowed shall constitute a valid claim against the county; and the monies derived from the sixteen mill tax levied in Section 1 hereof, the four mills levied in Section 2 hereof, the commutation tax and any State revenues, may be pledged to secure the payment thereof; and it shall not be incumbent upon the person, firm or corporation making such loan or loans to see that the monies loaned are applied for the purposes for which they are borrowed.

SECTION 6. The Treasurer of Berkeley County shall be and he is hereby authorized to refund to any taxpayer the amount of taxes for any year which may have been collected by error.

SECTION 7. The fees and costs to be paid to the county treasurer as provided by law shall be paid to the person holding such office at the time the delinquent taxes on which such fees and costs are chargeable were placed with the proper official for collection of same.

SECTION 8. For the purpose of providing for the maintenance and operation of Hanahan Public Service District, the Auditor of Berkeley County shall levy a tax of not exceeding fifty mills, the exact millage to be specified by a resolution adopted by the commissioners of such district prior to July 1, 1962, and approved by a majority of the county legislative delegation, upon the taxable property within the territorial limits of such district, which, together with the funds and income of the district from all sources, shall be used to carry out the duties and functions of the commission of the district, all or any of them, as provided in Act No. 784 of the Acts of 1942, creating the district and commission, and all amendments thereto. The tax shall be levied and collected by the same officers and in the same

manner as is provided for the collection of taxes levied for corporate purposes in Berkeley County, and the monies so collected shall be placed in separate funds by the county treasurer and paid out on warrants of the commissioners of the district.

SECTION 9. The Berkeley County Board of Education is authorized to continue the employment of Mrs. Lewis G. Fultz and W. M. Bonner, Sr., notwithstanding the age requirement of the State Retirement System.

SECTION 10. In keeping with the established policy of allowing new industry five years' exemption from payment of taxes levied for county purposes, Craver Industries, Inc., is hereby exempted from the payment of property taxes for the year 1962 levied for county purposes. (A similar exemption will be carried for the next three consecutive years.)

SECTION 11. All county offices may be closed at twelve noon on each Wednesday during the months of June, July and August.

PART II

TAX LEVY FOR SCHOOL PURPOSES

SECTION 1. There is hereby levied on all the taxable property of The Berkeley County School District for the calendar year 1962 a tax of forty mills, the proceeds of which shall be used for general school purposes for the fiscal year 1962-1963, such purposes to be set forth in the county school budget for such fiscal year to be adopted as provided by law. The tax shall be assessed and collected as other property taxes are assessed and collected.

PART III

PERMANENT PROVISIONS

SECTION 1. The General Assembly finds that by Section 23 of Act No. 323 of the Acts of the General Assembly for the year 1961, a program looking to the establishment of adequate vocational and technical educational facilities in the State, intended to coordinate with the industrial expansion of South Carolina, was instituted on a basis requiring cooperation between the State agency therein created and counties or areas within the State. In order to implement such program in Berkeley, Charleston and Dorchester Counties,

there has been created by an Act, enacted during the present session of the General Assembly, entitled "AN ACT TO PROVIDE FOR THE APPOINTMENT OF THE BERKELEY-CHARLESTON-DORCHESTER TRI-COUNTY COMMITTEE FOR TECHNICAL TRAINING AND TO SET FORTH ITS POWERS AND DUTIES," the Tri-County Committee of Technical Training (for Berkeley, Charleston and Dorchester Counties), hereafter called the "Tri-County Committee." Such Committee has been empowered to act for the area composed of Berkeley, Charleston and Dorchester Counties and to furnish the cooperation required by said Section 23. In order to institute the program contemplated by said Section 23, it is necessary that the Committee be given moneys with which to construct a suitable building (thereafter to be operated and maintained as required by said Section 23) in which to conduct the program of technical and vocational education. It has been determined by the General Assembly that Berkeley County should contribute the sum of One Hundred Twenty-five Thousand Dollars (\$125,000) to such program, and to raise such sum, the General Assembly has determined to authorize the County Supervisor and the County Treasurer of Berkeley County to issue and sell not exceeding One Hundred Twenty-five Thousand Dollars (\$125,000) of general obligation bonds or general obligation notes of Berkeley County for such purpose.

SECTION 2. In order to provide funds to be expended by the Tri-County Committee for the acquisition of a suitable site and the construction and equipping thereon of appropriate facilities, the County Supervisor and the County Treasurer of Berkeley County are hereby authorized and empowered to issue and sell general obligation bonds or general obligation notes of Berkeley County in an aggregate principal amount not exceeding One Hundred Twenty-five Thousand Dollars (\$125,000).

SECTION 3. Obligations authorized by this section may be issued as a single issue, or from time to time as several separate issues.

SECTION 4. Such obligations shall mature in such annual series or installments as the said County Supervisor and the said County Treasurer shall provide for, except that the last maturing thereof shall mature not later than twenty (20) years from the date as of which the same shall be issued.

SECTION 5. Obligations issued pursuant to this section may be issued with a provision for their redemption prior to their stated maturity at par and accrued interest, plus such redemption premium as may be prescribed therein, but no bond or note shall be redeemable before maturity unless it contains a statement to that effect. If bonds or notes are made subject to redemption, provision shall be made in the proceedings authorizing the issuance thereof, specifying the manner of call and the notice thereof that must be given.

SECTION 6. Such bonds or notes shall be in such form as shall be prescribed by the said County Supervisor and said County Treasurer.

SECTION 7. The obligations issued pursuant to this section may be made payable within or without the State.

SECTION 8. Obligations issued pursuant to this section shall bear interest at rates to be determined by said County Supervisor and said County Treasurer.

SECTION 9. The bonds, and/or notes, and the coupons to be thereunto attached (if any), shall be dated and executed in such manner as the County Supervisor and the County Treasurer shall prescribe.

SECTION 10. Obligations issued pursuant to this section shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. For the payment of the principal and interest of all obligations issued pursuant to this section, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Berkeley County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Berkeley County and collected by the Treasurer of Berkeley County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in Berkeley County, sufficient to pay the principal and interest thereof as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. The principal and interest of bonds and/or notes issued pursuant to this section shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 13. The proceeds derived from the sale of obligations issued pursuant to this section shall be paid to the Treasurer of Berkeley County, and shall be deposited in a special account, and shall be expended and made use of as follows:

- (a) Any accrued interest shall be applied to the payment of the first installment of interest to become due thereon.
- (b) Any premium shall be applied to the payment of the first installment of principal.
- (c) The remaining proceeds shall be paid over on the order of the County Supervisor (after first paying the costs incurred in connection with the issuance of such obligations) to the Tri-County Committee.
- (d) If any balance remain, it shall be held by the Treasurer of Berkeley County in a special fund and used to effect the retirement of the obligations authorized hereby.

SECTION 14. The bonds and/or notes authorized by this section may be issued by the County Supervisor and the County Treasurer at any time subsequent to the enactment of this Act as they shall deem appropriate, and the proceeds from the sale thereof may be paid over to the Tri-County Committee from time to time by the said County Supervisor and the said County Treasurer. Action to this end may, but need not be, in the discretion of the said County Supervisor and said County Treasurer, dependent upon comparable action of Charleston and Dorchester Counties.

PART IV

This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

An Act To Authorize The State Highway Department To Relocate A Section Of U. S. Highway Number 21-176 In Calhoun And Lexington Counties And A Section Of State Highway Sec-

ondary Road 66 In Lexington County; To Abandon As Public Ways The Old Sections So Relocated; And To Abandon Certain Other Roads Or Public Ways In Calhoun Or Lexington Counties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain highways and roads in Calhoun and Lexington Counties may be abandoned or relocated.—The State Highway Department is hereby authorized to relocate a section of U. S. Highway 21-176 in Calhoun and Lexington Counties and also a section of State Secondary Road 66 in Lexington County as in the judgment of the State Highway Engineer may be necessary in connection with the private industrial development of a twenty-five hundred acre site lying between Interstate Highway 26 and the Congaree River now traversed by U. S. Highway 21-176. The old sections so relocated are hereby abandoned as a part of the State Highway System and as public ways pursuant to Section 33-110, Code of Laws of South Carolina, 1952; *provided*, that the necessary rights of way for the new locations are furnished without cost to the State Highway Department. All rights, title and interest in and to such old sections or any other roads or public ways possessed by Calhoun or Lexington Counties located within the aforementioned site are hereby abandoned.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R745, H2139)

No. 1046

An Act To Make Supplemental Appropriations For The Fiscal Year 1961-1962 From The General Fund Of Calhoun County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations for the fiscal year 1961-1962 are made from the General Fund of Calhoun County:

Jail Expenses	\$ 250.00
Post Mortems and Inquests	100.00

Retirement	100.00
Workmen's Compensation	300.00
Public Buildings	2,000.00
Courthouse Supplies	2,500.00
Contingent	2,500.00
Hospitalization	1,500.00
Group Insurance	60.00
Social Security	1,000.00
Insurance on Autos	225.00
Roads and Bridges	2,000.00
Total	\$ 12,535.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R1154, H2621)

No. 1047

An Act To Provide For The Levy Of Taxes For Ordinary County And School Purposes For Calhoun County For The Fiscal Year 1962-1963, And For The Expenditure Thereof; And To Provide For Any And All Matters Pertaining To The Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There shall be levied upon the taxable property of Calhoun County for the purposes hereinafter specified:

School District No. 1: 36 mills for the operation of the schools in said district.

School District No. 2: 40 mills for the operation of the schools in said district.

SECTION 2. For county purposes for Calhoun County for the fiscal year 1962-1963, the sums hereinafter specified are appropriated for the purposes stated and the auditor of the county is authorized to levy, and the treasurer to collect, a tax of eight mills upon all the taxable property of Calhoun County to meet the appropriations made herein for general county purposes after deducting all other available income and revenue.

For construction and maintenance of roads and bridges and the support of county chain gang and floating gangs	\$ 29,820.00
Clerk of Court	4,750.00
Deputy Clerk of Court	2,178.00
Sheriff	4,750.00
Travel allowance and automobile repairs for Sheriff (if so much be necessary)	800.00
Deputy Sheriffs—2 @ \$2,700.00 each	5,400.00
Travel allowance for deputies for use in their own cars—\$1,410.00 each	2,820.00
Auditor	902.00
Treasurer	902.00
Clerical Assistance, Auditor	2,178.00
Clerical Assistance, Treasurer	990.00
Clerical Assistance, Superintendent of Education ...	100.00
Travel Allowance, Superintendent of Education ...	200.00
Attorney for County	660.00
Coroner	660.00
Travel allowance for Coroner	60.00
Supervisor	4,750.00
Travel Allowance for Supervisor, if so much be necessary	800.00
Two County Commissioners, \$825.00 each	1,650.00
Clerk to Board of County Commissioners	2,178.00
Judge of Probate	4,750.00
Constables:	
First District	1,320.00
Second District	825.00
Third District	825.00
<i>Provided</i> , each magistrate's constable in the county shall be paid fifteen dollars monthly as a travel expense	540.00
Magistrates:	
First District	1,650.00
Second District	1,056.00
Third District	1,056.00
Office Rent—Third District	120.00
<i>Provided</i> , the compensation provided for magistrates and constables is in lieu of all fees payable by the	

county to which any and all of them may be entitled, except in cases of violation of the worthless check law, and they shall have authority to charge and receive the following fees, which shall be in addition to their salaries: magistrates, one dollar; constables and sheriff, one dollar and mileage as provided in Section 27-451, of the 1952 Code, when prosecution in such cases is discontinued by settlement or compromise.

Provided, further, that the magistrates at Cameron and Lone Star shall give bonds in the sum of five hundred dollars, and the magistrates at St. Matthews shall give bond in the sum of one thousand dollars, conditioned upon the faithful performance of his duties and the premium paid thereon out of the county contingent fund.

Tax Collector	495.00
Travel Allowance, Tax Collector	150.00
Board of Education	500.00
Board of Equalization	300.00

Provided, members of the board shall be paid six dollars per day.

Jail expenses, including dieting of prisoners	1,200.00
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Provided, the Sheriff shall be allowed one dollar per diem for dieting prisoners.

Jurors, Bailiffs, Deputy Clerks and Witnesses	1,500.00
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Provided, jurors in the general sessions and common pleas courts shall receive six dollars per day, and jurors in the magistrates' courts and coroner's inquests shall be paid three dollars per day, to be paid as now provided by law.

D. P. W. Emergency Fund	200.00
Contribution to Tuberculosis Work	800.00
Travel Allowances, County Lunch Supervisor	300.00
Office expense, County Lunch Supervisor	1,375.00
Rent, School Commodities Storage	300.00
Travel Allowances, Attendance Supervisor	300.00
Travel Allowances, County Service Officer	300.00
Post Mortems and Inquests	100.00
Burial of County Poor	100.00
Lunacies (to be used for medical examination and transportation)	150.00

Boys' 4-H Club	75.00
Girls' 4-H Club	75.00
Expense, Soil Conservation Supervisor	100.00
Home Demonstration Agent, supplies, contingent, stamps, etc.	100.00
Farm Agent, supplies, contingent, stamps, etc.	100.00
Farm Agent's salary supplement	600.00
Home Demonstration Agent's salary supplement	300.00
Clerical Assistant for Home Demonstration Agent and County Agent	660.00
County Libraries	7,606.00
To be expended by a committee of four in charge of such library, to be appointed by the legislative dele- gation.	
For retirement of county officers and employees, if so much be necessary	
Workmen's Compensation Premium	2,755.00
Public buildings, including janitor, water, lights, telephones and fuel	1,800.00
<i>Provided</i> , the same to be used for county purposes only.	6,000.00
Printing, postage, stationery, supplies and repairs for county buildings, including salary of \$300.00 per year to the county supervisor as custodian of such buildings	
<i>Provided</i> , the fund for public buildings and supplies shall be expended for the officers and offices of the courthouse and office buildings on the approval of the supervisor, and when so approved by him shall be paid by the county board of commissioners.	5,000.00
Miscellaneous Contingent	4,000.00
<i>Provided</i> , such funds shall be disbursed only upon written consent and with the authority of the legis- lative delegation.	
Jailor	1,980.00
Premiums on bonds for county officers	350.00
Hospitalization fee	5,000.00
<i>Provided</i> , that the county shall pay such per diem costs as may be agreed upon by the county board of commissioners for charity patients, with notice to	

any hospital to which such patient may be sent, that such payments will stop when the above amount has been exhausted and the county assumes no further responsibility for such aid. The expenditure made under this item shall be under the county board of public welfare, which shall investigate each case and only approve such aid where the applicant is unable to pay for treatment and would suffer unless the county so provides; the board shall prorate this appropriation over the twelve-month period and, if necessary, shall limit aid to emergency cases involving serious danger to life and health.

County Health, if so much be necessary	6,100.00
Vital Statistics	150.00
County share, Group Insurance	600.00
Historical Commission	1,980.00
To be advanced in installments as may be approved by the county board of commissioners.	
Social Security	1,800.00
Insurance on Sheriff's and Supervisor's automobiles	294.00
Fire Insurance on county buildings	1,905.96
Auditing the county affairs, 1961-1962	675.00
Rabies Control Officer, Travel	450.00
<i>Provided</i> , this sum shall be paid in monthly install- ments.	
National Guard Armory, Supplies and Company	
Fund	1,200.00
Development Board	500.00
Expense for circuit court solicitor	200.00

GRAND TOTAL\$139,115.96

SECTION 3. The county board of commissioners (including the supervisor) is directed to work all roads, streets, alleys and public parking areas in the towns and villages, incorporated or unincorporated, in Calhoun County; and may, in its discretion, perform such work in and around other county and municipal buildings, parks, public landings and facilities as may be deemed necessary and advisable.

SECTION 4. All disbursements for travel allowance and for repairs for county-owned cars shall be evidenced by itemized statements that have actually been paid and so marked.

SECTION 5. If any of the sums above mentioned, or any portion thereof, are not used or expended for the specific purposes for which appropriated, the whole or any balance shall be expended only upon written authorization of the Legislative Delegation of Calhoun County.

SECTION 6. It shall be unlawful for any officer of this county to approve or pay any claims against the county, or any school district, unless the funds are on hand for the payment of same, and also it shall be unlawful for the county board of commissioners to exceed the appropriations made for the several items in this act, unless authorized by the county delegation, and any county officer violating the provisions of this act shall be liable for such violations on his official bond; *provided*, however, that the county treasurer and supervisor are hereby authorized and empowered to borrow so much money as is necessary to defray the county expenses, not exceeding the total amount herein appropriated, and are authorized to pledge the taxes, when so collected, for the payment of the same; *provided*, further, that all monies coming into the county treasury to the credit of the county by reason of contracts made and work done by the county or its authorities in the working or building of roads and bridges may be used and expended by the board of commissioners in the maintenance and support of the county chain gang and in building bridges and maintenance of roads, permanent and otherwise.

SECTION 7. The board of county commissioners shall pay the regular commercial rate for publication of quarterly reports.

SECTION 8. The supervisor shall have entire oversight and care of the courthouse building and grounds, and he shall supervise the care of same, and the janitor for the courthouse shall be employed by the supervisor, and it shall be his duty to supervise the janitor and see that he keeps the courthouse grounds in proper condition; *provided*, however, the sheriff shall have entire oversight and care of the jail and he shall employ the jailor for the same.

SECTION 9. The county board of commissioners shall appoint a bank or banks as depositories in which the county treasurer shall deposit all monies coming into his hands as an officer; which ap-

pointment shall be by proper resolutions spread upon the minutes of the board. Such board shall from time to time, by resolution spread upon its minutes, make such requirements as may be deemed necessary for the safety of such funds so deposited, not inconsistent with the general laws of the State. If any of such funds are dissipated or lost by reason of the insolvency or failure of any such depository, then such dissipation or loss shall not constitute a liability on the official bond of the county treasurer nor a liability on the sureties thereon. In the event of the dissipation or loss of any such funds because of such insolvency or failure the county and State shall have a preferred claim against such bank for the amount of such dissipation or loss.

SECTION 10. All appropriations made herein are subject to the right and authority of the Calhoun County Legislative Delegation to change, alter, or deduct therefrom at any time, without notice, when in its judgment, such change, alteration or deduction is necessary for the best interests of the county, and to conform with revenue expected during the life of this act. *Provided*, that the change made by the delegation pursuant to the authority herein conferred shall not operate to increase the total amount appropriated.

SECTION 11. All fees collectible by law by the auditor, treasurer, clerk of court and judge of probate shall be collected by such officers and placed by them in the treasury of the county to the credit of the general fund. Each officer shall keep a record of all fees collected for auditing purposes and on or before the tenth day of each month shall remit all fees collected in the preceding month.

SECTION 12. Appropriations of State Aid for Teachers' Salaries, and all other school district, county and State appropriations for the operation of the public school system, shall cease and become inoperative for any school from which, and for any school to which, any pupil may transfer pursuant to, or in consequence of, an order of any court, for the time that the pupil shall attend a school other than the school to which he was assigned before the issuance of such court order.

SECTION 13. Of the amounts appropriated in this act as salaries for law enforcement officers, an amount of five dollars per day for each such officer is hereby designated as subsistence for each day of active law enforcement duty.

SECTION 14. All county offices shall be open between the hours of 9 A. M. and 5 P. M., during the week, except on Wednesdays and

Saturdays, when they shall close at 1 P. M., and on holidays, and with the further exception of offices with only one officer, and it is necessary for him to be out in the field on work in regard to his office. *Provided*, in the event of an emergency the offices may be closed with the approval of the legislative delegation.

SECTION 15. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R514, H1844 of 1961)

No. 1048

An Act To Grant To Charleston County All Right, Title, Interest and Estate Of The State Of South Carolina In And To So Much Of The Beds Of Two Tidal Creeks, Known As Filbin Creek And Noisette Creek In North Charleston, As Lies West Of The Highway Sometimes Known As Cosgrove Avenue, And To All Marsh Lands Adjacent Thereto West Of Such Highway.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that portions of the area in Charleston County lying north of the City of Charleston, and generally referred to as North Charleston, are thickly populated, and have many characteristics and attributes of incorporated municipalities. A large section of this area is dependent for proper drainage upon two tidal creeks, or estuaries, now known as Filbin Creek and Noisette Creek. The creek now known as Filbin Creek was formerly known as Onslow Creek, Gourden's, Baker's, and Logan's Creek. The creek now known as Noisette Creek was formerly known as Woosaw Creek. Such names appear in early grants made to early settlers of what was then the Colony of South Carolina. The creeks themselves were then navigable to canoes, barges, and other small craft. Early grants were made by The Lords Proprietors, the King of England, and the State of South Carolina to various individuals, of high and marsh lands adjacent to the creeks. On the basis of these grants, title to all marsh lands adjacent to the beds of the creeks is now claimed by the several owners of the adjacent high lands. Taxes on this area of marsh land have been paid by such persons for many years—certainly throughout all of the twentieth century.

In approximately the year 1915 a concrete highway, then known as Cosgrove Avenue and now sometimes called Virginia Avenue, was constructed through the original North Charleston development, and immediately west of the Cooper River, in such fashion as to effectually close the mouths of Filbin and Noisette Creeks. This highway, and later other roads, were constructed across both creeks, so that any navigation potential of the creeks has been long effectually destroyed.

Throughout the years much settling has taken place in the beds of the two creeks, with the result that the drainage for a large and populous area, in what is now North Charleston, is seriously hampered. Filbin Creek alone has a drainage area of four thousand four hundred seventy one acres, or approximately seven square miles. Living within this area are approximately ten thousand people. The County Council of Charleston County has been considering for some time a plan for the improvement of this essential drainage, and has determined that if the two creeks could be straightened, widened and deepened, and perhaps lakes or ponds established upon the upper reaches of the creeks, drainage could be improved and controlled. The plan contemplated would also render assistance to the over-all plan for mosquito and insect control now proposed for Charleston County, and authorized by an act of the General Assembly, bearing Ratification Number 74 of 1961, entitled "An Act To Authorize The County Council Of Charleston County To Issue And Senn Not Exceeding One Million Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Charleston County; To Prescribe The Conditions Under Which The Bonds May Be Sold, The Conditions Under Which Their Proceeds Shall Be Expended; And To Make Provision For The Payment Of The Bonds." approved February 24, 1961.

The plan contemplated by County Council proposes to enlist the cooperation of the persons who assert title to the marsh areas adjacent to the beds of the two creeks. Questions, however, have arisen concerning the possibility that the State has or might claim some interest in the original beds of the two creeks, or in sections of the marsh adjacent thereto, and as a consequence, the plan cannot be implemented until arrangements can be made by which any question to the title to all areas adjacent to the two creeks as finally reconstructed is removed. County Council for its part desires to have an unquestioned drainage easement, by which it will be permitted to effectively drain large sections of North Charleston through the

straightened and deepened creeks into the Cooper River. To straighten and deepen the two creeks it is necessary to excavate the beds thereof and to dump the mud and silt so excavated on the marsh lands adjacent to the reconstructed creeks. Those upon whose marsh land the spoil will be deposited, desire to have an unquestioned title to the banks of the creeks as thus reconstructed.

In order to permit the county to attempt to consummate the plan, it is necessary that the State effect conveyance of its right, title, and interest, if any, in and to all areas of marsh land adjacent to the banks of either creek and to the beds of the creeks themselves, to Charleston County in order that Charleston County may hereafter, if the plan be consummated, convey all or portions of such interest as it will thus acquire, to adjacent landowners, in consideration of the relinquishment on the part of any landowners of any claim which they may assert to the marsh area utilized in straightening and reconstructing the beds of the two creeks.

The General Assembly finds that the consummation of the plan will greatly improve health conditions affecting thousands of persons. On that basis the General Assembly has determined to convey to Charleston County all right, title, interest and estate that may be owned by the State of South Carolina in the marsh lands adjacent to Filbin Creek and Noisette Creek, and all interest that the State may have in the beds of the two creeks, which lie to the west of the public highway known as Cosgrove Avenue and whose construction has effectually destroyed any possible navigation use of the creeks.

SECTION 2. Portions of Filbin and Noisette Creeks granted to Charleston County.—There is hereby granted unto Charleston County all right, title, interest and estate now vested in the State of South Carolina, of, in and to those portions of the beds of the creeks known as Filbin Creek and Noisette Creek in North Charleston which lie west of the public highway sometimes known as Cosgrove Avenue, and all right, title, interest and estate of the State of South Carolina, of, in and to all marsh lands lying adjacent to both creeks, and lying west of the public highway formerly known as Cosgrove Avenue.

Upon the approval of this act, all right, title, interest and estate of the State of South Carolina, of, in and to the areas above described, shall vest in Charleston County, its successors and assigns, in fee simple, and the interests herein conveyed shall be subject to the ab-

solute control and disposition of the County Council of Charleston County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of June, 1961.

(R709, H2076)

No. 1049

An Act To Amend Act 498 Of 1961, Creating The James Island Public Service District, So As To Provide Penalties For Non-Compliance With Rules Or Regulations Of The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (20), Section 5 of Act 498 of 1961 amended—rules and regulations regarding fire hazards—penalties.—Item (20) of Section 5 of Act 498 of 1961 is amended by striking beginning on line 3 “, and provide for penalties for the non-observance thereof” and inserting in lieu thereof “. Any person willfully failing or refusing to comply with any rule or regulation of the James Island Public Service Commission promulgated or adopted under the authority of this item, after written notice of such rule or regulation or demand for compliance therewith, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not exceeding twenty-five dollars or imprisonment for a period not exceeding ten days; *provided*, that each day’s violation after notice and demand for compliance shall constitute a separate offense.”, so that when amended the item shall read as follows:

“(20) Promulgate rules and regulations regarding fire hazards and the protection therefrom within the District, including appropriate powers to enforce the observance thereof. Any person willfully failing or refusing to comply with any rule or regulation of the James Island Public Service Commission promulgated or adopted under the authority of this item, after written notice of such rule or regulation or demand for compliance therewith, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not exceeding twenty-five dollars or imprisonment for a period not

exceeding ten days; *provided*, that each day's violation after notice and demand for compliance shall constitute a separate offense."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R764, H2158)

No. 1050

An Act To Amend Item (25) Of Section 5 Of Act 521 Of 1957, Relating To The North Charleston Consolidated Public Service District, So As To Provide That The District May Borrow In Anticipation Of Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (25), Section 5 of Act 521 of 1957 amended—district may borrow money.—Item (25) of Section 5 of Act 521 of 1957 is amended by adding new Subitem (j) which shall read as follows:

"(j) To incur indebtedness in anticipation of the collection of taxes which have been levied."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R955, H2338)

No. 1051

An Act To Authorize The Adjutant And Inspector General To Deed Certain Property In Charleston County To The City Of Charleston.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Adjutant and Inspector General to convey property to City of Charleston.—The Adjutant and Inspector General of the State of South Carolina is hereby authorized and directed to execute in behalf of and in the name of the State of South Carolina

a deed conveying to the City of Charleston the following real estate in consideration of the exchange of other real estate:

All that lot, plot or parcel of land, (recorded 19 April 1940 in Deed Book Z41, page 22), being the Western most portion of Martin Park, situate, lying and being in the City of Charleston, State of South Carolina, and bounding on Jackson, Hanover and Lee Streets, and shown on a plat made by the City Engineer's Office dated March 28, 1940, which is hereto attached, and is more particularly described as follows: Measuring and Containing from East to West on Jackson Street and on Lee Street One Hundred and Fifty (150) feet, and in front on Hanover Street Two Hundred Ninety Nine and Five Tenths (299.5) feet, and the same on the back line separating it from the rest of Martin Park. Abutting and Bounding Northwardly on Jackson Street; Eastwardly on the remaining portion of Martin Park; Southwardly on Lee Street and Westwardly on Hanover Street, all of which is more fully shown and enclosed within red lines marked "A", "B", "C" AND "D", on the above referred to plat.

All that lot or strip of land, (recorded 8 November 1940 in Deed Book B41, page 731), running from Jackson Street to Lee Street in the City of Charleston, State of South Carolina, measuring Twenty (20) feet in width and Two Hundred Ninety Nine and Five Tenths (299.5) feet in length from North to South and abutting and bounding Northwardly on Jackson Street; Eastwardly on lands of The City Council of Charleston known as Martin Park; Southwardly on Lee Street; and Westwardly on lands of the State of South Carolina, formerly The City Council of Charleston. The lot hereby conveyed is contained within the red lines marked A, B, D, C, on a plat made by the City Engineer's Office October 31, 1940, which is hereto attached and made a part of this deed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R1073, H2532)

No. 1052

An Act To Authorize And Empower The Board Of Trustees Of Moultrie School District No. 2 Of Charleston County, The State Of South Carolina, To Issue General Obligation Bonds Of The School District In An Amount Not Exceeding Eighty Thousand Dollars, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that increased population growth of Moultrie School District No. 2 of Charleston County, the State of South Carolina (hereinafter called "the School District") has resulted in a need for a new elementary school for the School District, and to that end has determined to authorize the Board of Trustees of the School District (hereinafter called "the Board") to acquire land therefor and to construct and equip thereon a new elementary school in the School District, and to give the Board authority to issue general obligation bonds of the School District (without the necessity of an election), at any time prior to December 31, 1963, to provide funds for this purpose, provided that the bonded debt then to exist will not exceed the eight per cent debt limitation applicable to the School District.

SECTION 2. Powers—Charleston County Moultrie School District 2 may issue bonds—dates.—The Board may acquire land and construct and equip thereon a new elementary school building for the School District. In order to raise moneys to provide such additional public school facilities, the Board may issue and sell general obligation bonds of the School District (without the necessity of holding any election), in an amount not to exceed eighty thousand dollars, if on the particular occasion that they are issued the applicable constitutional debt limitation shall not be exceeded.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the Board shall provide, except that the first maturing bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty years from the date of issue.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the Board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Charleston County, upon such conditions as the Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Place of payment.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the Board.

SECTION 8. Execution.—The bonds and the coupons to be thereunto attached, shall be executed in such manner as the Board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment—credit of district pledged.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the School District shall be irrevocably pledged, and there shall be levied annually by the Auditor of Charleston County, and collected by the Treasurer of Charleston

County, in the same manner as county taxes are levied and collected, on all taxable property in the School District, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 12. Powers and duties.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Charleston County, to be deposited in a bond account fund for the School District, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the Board, for the following purposes:

(i) To defray the costs of issuing the bonds authorized by this act;

(ii) To provide for additional public school facilities for the School District in the manner contemplated by Section 2 of this act.

(d) If, after the final completion of the Board's program, the Board shall certify to the Treasurer of Charleston County that any remaining balance in the Bond Account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers and duties—further.—The powers and authorizations hereby conferred upon the Board shall be in addition to all other powers and authorizations previously vested in the Board and may be availed of pursuant to action taken at any regular or special meeting of the Board.

SECTION 14. Authorization.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the Board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1141, H2600)

No. 1053

An Act To Provide For The Division Of Taxes And The Disposition Of Certain Properties And Liabilities Of Those Special Purpose Districts In Charleston County Wherein Was Situate A Certain Area In St. Andrews Parish Annexed To The City of Charleston.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly makes the following findings of fact:

(a) In a special election held on February 20, 1962, one area of St. Andrews Parish in Charleston County voted to become a part of the City of Charleston, and thereafter, by action taken pursuant to Section 47-17 of the 1952 Code, such area was annexed to the City of Charleston. The annexed area is described as follows:

All that certain piece, parcel or tract of land situated in St. Andrews Parish, County of Charleston, State of South Carolina, and being generally known and designated as "Westwood Subdivision".

The said area of land butting and bounding generally to the North of Avondale Subdivision, on the Northeast by the center line of South Carolina Highway No. 614, East by Moreland Subdivision, and on the South by the center line of U. S. Highway 17, same being the present city limits of the City of Charleston.

The said area of land being more particularly defined by reference to a plat dated April, 1948, and entitled "Westwood, St. Andrews Parish, Charleston County, South Carolina," which plat is recorded in the R.M.C. Office for Charleston County in Plat Book "G", page 87-A, and also including so much of U. S. Highway 17 and South Carolina Highway 614 as is enclosed within the following: Commencing at a point where the Westernmost boundary of Westwood projected in a Southwesterly direction intersects with the center line of U. S. High-

way No. 17 and proceeding Northeast along the Western boundary of Westwood to the point where the Westernmost boundary of Westwood projected in a northeasterly direction intersects the center line of S. C. Highway 614; thence East along the center line of S. C. Highway No. 614 to a point where the Easternmost boundary of Westwood projected in a northerly direction, intersects the center line of S. C. Highway 614; thence South along the Eastern boundary of Westwood to a point where the center line of U. S. Highway 17 intersects the eastern boundary of Westwood projected in a Southerly direction; thence West along the center line of U. S. Highway 17, the present city limits of the City of Charleston, to the point of beginning.

(b) Such area was part of the following special purpose districts heretofore created by legislative enactment:

(1) St. Andrews Parish Public Service District, created by Act 443 of 1949.

(2) St. Andrews Parks and Playgrounds District, created by Act 228 of 1957.

(c) Located in the annexed area are certain physical properties which are not capable of being conveniently removed.

(d) There is no general law which prescribes how properties of special purpose districts shall be disposed of as portions of such special purpose districts become annexed to incorporated municipalities, nor is there legislative enactment prescribing the manner or extent to which the obligation of such special purpose districts shall be assumed. Mindful of the foregoing, the General Assembly proposes through this act to make provisions for the disposition of the properties belonging to special purpose districts which were comprised of part of the area now merged into the City of Charleston, and to prescribe how the obligations of such special purpose districts shall be assumed.

SECTION 2. Property distribution.—The following distribution of property shall be made:

(a) All sewers and sewerage disposal facilities which are situated within the annexed area shall become the sole property of the City of Charleston.

(b) All real estate, easements, leaseholds, rights of way and improvements to the same, and all public improvements situate within

the annexed area shall become the sole property of the City of Charleston.

(c) The City of Charleston shall receive seventy-five per cent of the proceeds of all taxes (with the exception of the three mills special levy for payment of the John McCrady bill) heretofore levied for the calendar year 1962 and hereafter to be collected through April 15, 1963, by or for St. Andrews Public Service District and St. Andrews Parks and Playgrounds District for the calendar year begun January 1, 1962, from the property annexed to the City of Charleston as the result of the election of February 20, 1962, and described in Section 1 (a) above.

(d) All other property, real, personal or mixed, and the proceeds of all taxes heretofore levied for the calendar year begun January 1, 1962, and all prior fiscal years, except as otherwise herein provided, shall be the sole property of the special purpose district which, except for the annexation, would have been entitled to same.

SECTION 3. Liabilities of districts not assumed by city.—No liabilities or obligations, contractual or otherwise, of any of the special purpose districts shall be assumed by the City of Charleston, and all such obligations of any of the special purpose districts of which the annexed area formed a part shall remain the obligations of the special purpose district originally incurring such obligations.

SECTION 4. Implementation of act.—The Treasurer of Charleston County is directed to take such action as may be necessary to carry out the intention and purpose of this act.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

An Act To Authorize The County Council Of Charleston County To Borrow Not Exceeding Two Hundred Fifty Thousand Dollars, To Provide For The Repayment Of The Loan And To Provide For The Disposition Of The Funds So Borrowed.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charleston County may borrow money.—The County Council of Charleston County is authorized to borrow not exceeding two hundred fifty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the county council. The note or notes shall bear interest at the rate of four per cent per annum from the date thereof and shall be payable in five successive equal annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Charleston County shall levy, and the Treasurer shall collect an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Use of proceeds.—The county council shall make such sum available to any school district in Charleston County which is in need of further physical facilities and has reached its constitutional bonded debt limitation. The proceeds derived from such loan shall be deposited with the Treasurer of Charleston County in a special fund and paid over from time to time upon warrant of the county council to or for the account of such school district.

SECTION 5. School district — note — interest — maturity.—Simultaneously with the payment of any proceeds to it such school district shall execute and deliver to the county treasurer its note or

notes payable to the county council in the amount of the advance made to or for its account to bear interest and to mature on the same terms and conditions as the note or notes issued by the county council.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1220, H2619)

No. 1055

An Act To Amend Section 2 Of Act No. 443 Of 1949, As Amended, Relating To The St. Andrews Public Service District In Charleston County, So As To Redefine The Territory And Areas In The District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2 of Act 443 of 1949 amended—area.—Section 2 of Act No. 443 of 1949, as amended, is further amended to read as follows:

“Section 2. The aforementioned districts shall include and be comprised of the territory and areas in St. Andrews Parish, Charleston County, as delineated on a plat of St. Andrews Public Service District which was recorded in the office of the register of mesne conveyances for Charleston County on March 21, 1962, in Plat Book ‘N’ at page 101.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1233, H2667)

No. 1056

An Act To Empower The County Council Of Charleston County To Issue Not Exceeding Two Hundred Seventy-five Thousand Dollars Of General Obligation Bonds Or General Obligation Notes Of Charleston County To Raise Moneys To Be Used By The Tri-County Committee Of Technical Training (For Berke-

ley, Charleston And Dorchester Counties), To Prescribe The Conditions Under Which The Same May Be Issued, To Prescribe The Use Of Their Proceeds, And To Make Provision For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Section 23 of Act No. 323 of the Acts of the General Assembly for the year 1961, a program looking to the establishment of adequate vocational and technical educational facilities in the State, intended to coordinate with the industrial expansion of South Carolina, was instituted on a basis requiring cooperation between the State agency therein created and counties or areas within the State. In order to implement such program in Berkeley, Charleston and Dorchester Counties, there has been created by an Act, enacted during the present session of the General Assembly, entitled "An Act to provide for the appointment of the Berkeley-Charleston-Dorchester Tri-County Committee for Technical Training and to set forth its powers and duties," the Tri-County Committee of Technical Training (for Berkeley, Charleston and Dorchester Counties), hereafter called the "Tri-County Committee." Such Committee has been empowered to act for the area composed of Berkeley, Charleston and Dorchester Counties and to furnish the cooperation required by said Section 23. In order to institute the program contemplated by said Section 23, it is necessary that the Committee be given moneys with which to construct a suitable building (thereafter to be operated and maintained as required by said Section 23) in which to conduct the program of technical and vocational education. It has been determined by the General Assembly that Charleston County should contribute the sum of Two Hundred Seventy-five Thousand Dollars (\$275,000) to such program, and to raise such sum, the General Assembly has determined to authorize The County Council of Charleston County (hereafter referred to as "County Council") to issue and sell not exceeding Two Hundred Seventy-Five Thousand Dollars (\$275,000) of general obligation bonds or general obligation notes of Charleston County for such purpose.

SECTION 2. Charleston County Council may issue bonds.—In order to provide funds to be expended by the Tri-County Committee for the acquisition of a suitable site and the construction

and equipping thereon of appropriate facilities, County Council is hereby authorized and empowered to issue and sell general obligation bonds, or general obligation notes, of Charleston County in an aggregate principal amount not exceeding Two Hundred Seventy-Five Thousand Dollars (\$275,000).

SECTION 3. Issue.—The obligations authorized by this Act may be issued as a single issue, or from time to time as several separate issues.

SECTION 4. Maturity.—Such obligations shall mature in such annual series or installments as County Council shall provide for, except that the last maturing thereof shall mature not later than fifteen (15) years from the date as of which the same shall be issued.

SECTION 5. Redemption.—Obligations issued pursuant to this Act may be issued with a provision for their redemption prior to their stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by County Council, but no bond or note shall be redeemable before maturity unless it contains a statement to that effect. If bonds or notes are made subject to redemption, provision shall be made in the proceedings authorizing the issuance thereof, specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—Obligations issued pursuant to this Act shall be in such form as County Council shall prescribe.

SECTION 7. Place of payment.—Obligations issued pursuant to this Act shall be made payable at such places, within or without the State, as County Council shall provide.

SECTION 8. Interest.—Obligations issued pursuant to this Act shall bear interest at rates determined by County Council.

SECTION 9. Execution.—The bonds, and/or notes, and the coupons to be thereunto attached (if any), shall be dated and executed in such manner as County Council shall by resolution prescribe.

SECTION 10. Sale.—Obligations issued pursuant to this Act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of all obligations issued pursuant to this Act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Charleston County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Charleston County, and collected by the Treasurer of Charleston County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in Charleston County, sufficient to pay the principal and interest thereof as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. Exempt from taxes.—The principal and interest of bonds and/or notes issued pursuant to this Act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 13. Proceeds.—The proceeds derived from the sale of any obligations issued pursuant to this Act shall be paid to the Treasurer of Charleston County, and shall be deposited in a special account, and shall be expended and made use of as follows:

- (a) Any accrued interest shall be applied to the payment of the first installment of interest to become due thereon.
- (b) Any premium shall be applied to the payment of the first installment of principal.
- (c) The remaining proceeds shall be paid over on the order of County Council (after first paying the costs incurred in connection with the issuance of such obligations) to the Tri-County Committee.
- (d) If any balance remain, it shall be held by the Treasurer of Charleston County in a special fund and used to effect the retirement of the obligations authorized hereby.

SECTION 14. Proceeds—further.—The bonds and/or notes authorized by this Act may be issued by County Council at any time subsequent to the enactment of this Act as it shall deem appropriate, and the proceeds from the sale thereof may be thereupon paid over to the Tri-County Committee from time to time as County Council shall determine. Action to this end may, but need not be, in the discretion of County Council, dependent upon comparable action of Berkeley and Dorchester Counties.

SECTION 15. Powers of Council.—The powers and authorizations hereby conferred upon County Council shall be in addition to

all other powers and authorizations previously vested in said County Council.

SECTION 16. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1259, H2736)

No. 1057

An Act To Authorize The County Council Of Charleston County To Close, Sell And Convey A Portion Of Scurvin Street In Charleston County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charleston County may close and convey Scurvin Street.—The County Council of Charleston County is authorized to close that portion of Scurvin Street which extends one hundred and eighty-three feet north from Prosper Street, and is further authorized to sell and convey such closed portion to the adjoining landowners on either side of such street for a reasonable consideration.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R762, H2108)

No. 1058

An Act To Appropriate From The General Fund Of Cherokee County The Sum Of Thirty-Eight Thousand Two Hundred Forty-Five Dollars And Fifty Cents To Pay Certain County Expenses Incurred In The Year 1961.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Treasurer of Cherokee County is authorized upon certification of the county board of commissioners to pay from

the General Fund of Cherokee County certain indebtednesses incurred for county purposes in 1961 in the sum of thirty-eight thousand two hundred forty-five dollars and fifty cents.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962

(R1196, S695)

No. 1059

An Act To Provide For The Addition To The State Highway System A Road In Cherokee County Which Will Not Connect With The Existing State Highway System And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Cherokee County—Highway Department may construct road.—The South Carolina State Highway Department is hereby authorized to add to the State Highway System and to construct a road in Cherokee County as follows:

Section of road in the northeast corner of Cherokee County, being an extension of a road maintained by the Kings Mountain National Military Park, extending from the York County line northwesterly to the North Carolina State line—approximately 0.9 mile.

SECTION 2. Cost of.—The cost of constructing the road provided for by this act shall be charged to the Secondary Highway Funds accruing to Cherokee County.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1221, H2142)

No. 1060

An Act To Provide For The Levying Of Taxes For School And County Purposes For The Year, 1962; To Direct The Ex-

penditure Thereof; To Otherwise Provide For The Administration Of The Business Of Cherokee County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of sixteen mills is hereby levied upon all the taxable property in Cherokee County for county purposes for the fiscal year beginning January 1, 1962, and the amounts and purposes hereinafter stated :

Item 1. Roads, Bridges and Chain Gang :

- | | |
|--|--------------|
| (a) For maintenance there is hereby appropriated a sum not in excess of \$9,000.00 per month. | \$108,000.00 |
| (b) Food for convicts | 17,000.00 |
| (c) Captain of the Gang @ \$350.00 per month | 4,200.00 |
| (d) Mechanic @ \$350.00 per month | 4,200.00 |
| (e) Supply Clerk @ \$275.00 per month | 3,300.00 |
| (f) Deficit for 1961 operation | 38,245.50 |

Provided, that each employee paid from the amount appropriated in Subitem (a) shall have his salary increased \$25.00 per month.

The board of commissioners shall enter into available contracts with the highway department for road construction in the county. Construction personnel and expenses incidental to such construction shall be paid out of funds received from such contracts.

Commencing May 1, 1962, a separate revolving account shall be established by the county treasurer in the sum of \$10,000.00. Salaries, maintenance of equipment and other operational costs shall be paid from this account. The account shall be reimbursed from time to time as funds are received from the highway department resulting from such construction.

TOTAL, Item 1\$174,945.50

Item 2. Law Enforcement Officers :

Salaries :

- | | |
|---|-------------|
| (a) Sheriff | \$ 6,000.00 |
| (aa) Official Expense | 1,200.00 |
| (b) Deputy Sheriffs, Nine (9) at \$350.00 per month | 37,800.00 |

Provided, that each Deputy Sheriff shall be allowed one day in six off duty. This shall not be cumulative and may not be allowed if in the judgment of the Sheriff the law enforcement needs of the department require otherwise.

(c) Jailer @ \$275.00 per month 3,300.00

(d) Jail expenses, including dieting of prisoners at \$1.35 per full day, or 45¢ per meal each. 9,000.00

Provided, that in support of all payments made from the above appropriation for dieting, the sheriff shall file with the county board of commissioners a statement showing (a) the name of the prisoner, (b) the arresting officer, (c) the hour of admittance and discharge, and (d) the meals served to each prisoner for which payment is claimed.

(e) Operation of cars 6,000.00

Provided, all purchases of supplies are to be from the lowest bidder.

(f) Radio installation and repairs 200.00

(h) For exchange of two cars for sheriff's department 3,500.00

(i) Uniforms for Deputies not to exceed \$150.00 each 1,500.00

(j) Magistrates, three—One Magistrate for Cherokee Township @ \$2,800.00 and two Magistrates for Draytonville, Limestone, Gowdeysville, Morgan and White Plains Townships @ \$4,200.00 each 11,200.00

(k) County Constable 3,900.00

Provided, this job shall be filled by the disabled Deputy Sheriff of Cherokee County. *Provided*, further, the duties heretofore rendered by the office of the Sheriff of Cherokee County in serving legal process and other civil papers shall devolve upon this employee and he is officially designated as the process server for Cherokee County in civil matters, including courts of magistrate. He shall collect the same fees as are now collected by the office of Sheriff and these fees,

along with an itemized report of all papers served, shall be remitted to the Treasurer of Cherokee County each month and a copy of the report filed in the office of the Clerk of Court for Cherokee County. The constable shall be paid travel expense at the prevailing rate of mileage allowed by the state for each mile of necessary travel in serving papers. *Provided*, further, that should the constable be unable to serve all papers expeditiously, the Sheriff of Cherokee County shall render such aid as the constable may require.

TOTAL, Item 2		\$ 83,600.00
Item 3. Other County Officers:		
(a) Auditor	\$	2,502.00
(b) Clerical Help for Auditor		3,000.00
(c) Additional Help for Auditor		1,250.00
(d) Treasurer		2,502.00
(e) Assistant Treasurer		3,000.00
(f) Additional Help to Treasurer		1,250.00
(g) Superintendent of Education		1,627.50
(h) Clerical Help to Superintendent of Education ..		3,000.00
(i) Attendance Teacher, to buy clothes for needy children		3,000.00
<i>Provided</i> , that the total salary of the Auditor, Treasurer and Superintendent of Education shall not exceed six thousand dollars.		
(j) Supervisor		6,000.00
(jj) Official Expense		1,200.00
(k) County Commissioners, eight @ \$600.00 annually each		4,800.00
(l) Clerk, County Board of Commissioners		4,200.00
(m) Superintendent Courthouse @ \$200.00 per month		2,400.00
<i>Provided</i> , this employee must meet the requirements of Section 61-103 of the Code of Laws of South Carolina, 1952, as amended, beginning July 1, 1961.		
(n) Superintendent Agricultural Building @ \$200.00 per month		2,400.00

Provided, this employee must meet the requirements of Section 61-103 of the Code of Laws of South Carolina, 1952, as amended, beginning July 1, 1961.

Provided, that the County Board of Commissioners shall, upon request of the Superintendent of the County Courthouse, or the Superintendent of the Agricultural Building, furnish them with sufficient convict labor about the premises.

(o) Clerk of Court	6,000.00
(p) Deputy Clerk of Court	3,000.00
(q) Clerical Help for Clerk of Court	3,000.00
(r) Probate Judge	6,000.00
(s) Clerical Help for Probate Judge	3,000.00
(t) County Attorney	600.00
(u) County Audit	1,000.00
(v) Coroner	1,200.00
(w) Stenographer for Coroner	300.00
(x) Delinquent Tax Collector	1,800.00
(y) Clerk for Delinquent Tax Collector	3,000.00
(z) Board of Assessors and Equalization	3,000.00
(aa) Jurors and Witnesses	12,000.00

TOTAL, Item 3 \$ 86,031.50

Item 4. County Health Department:

(a) Salaries, travel & clinic fees	\$ 5,080.00
(b) Medical Drugs	800.00
(c) T. B. Nurse	1,500.00
(d) Office supplies and contingencies	900.00
(e) Building and maintenance	2,000.00
(f) Three Truck Drivers, @ \$300.00 per month each	10,800.00
(g) Truck maintenance	2,050.00

TOTAL, Item 4 \$ 23,130.00

Item 5. Public Buildings:

(a) Water and Lights	\$ 2,150.00
(b) Telephone and Telegraph	4,000.00
(c) Fuel	1,500.00

(d) Superintendent's supplies	1,825.00
(e) Printing, Postage, Stationery and Office Equipment	9,500.00
(f) Insurance and premiums on bonds of county officers	3,500.00
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TOTAL, Item 5	\$ 22,475.00
Item 6. Hospital, Public Welfare, Charities, Contributions and Miscellaneous:	
(a) Hospital, nurses, training and contingent fund..	\$ 10,000.00
<i>Provided</i> , that the expenditures from this appropriation shall be with the approval of the Legislative Delegation.	
(b) Lunacies and Post Mortems	900.00
(c) Vital Statistics	410.00
(d) State or National Guard Service Company A..	1,000.00
<i>Provided</i> , that these funds shall be used for Armory or training purposes only.	
(e) State or National Guard Service Company C ..	1,000.00
<i>Provided</i> , that these funds shall be used for Armory or training purposes only.	
(f) Department of Public Welfare	2,500.00
<i>Provided</i> , the Department of Public Welfare shall be authorized to install an additional telephone in its offices in the Cherokee County Courthouse.	
(g) Civil Air Patrol	500.00
(h) Cherokee County Rescue Squad	200.00
<i>Provided</i> , that these funds shall be used for training purposes or purchase of rescue equipment.	
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TOTAL, Item 6	\$ 16,510.00
Item 7. (a) Library	
<i>Provided</i> , that for the year 1962 the employees of the Library, including janitors and summer workers, shall receive a pay increase not to exceed eight (8%) per cent of current pay schedules.	
(b) Board of Education for School Lunch	10,000.00

(c) Contingent Fund, Board of Education	6,000.00
TOTAL, Item 7	\$ 28,618.50
Item 8. (a) County Share of Retirement Fund for county employees	\$ 5,800.00
(b) Social Security	6,200.00
TOTAL, Item 8	\$ 12,000.00
Item 9. Farm Demonstration:	
(a) Assistant Farm Demonstration Agent, Salary ..	600.00
(b) Stenographer, County Extension Office	600.00
(c) 4-H Club Boys	200.00
(d) 4-H Club Girls	200.00
(e) Demonstration Supplies for Home Demonstra- tion Agent	150.00
(f) Negro Home Demonstration Agent, Salary and Travel	740.00
(g) Office rent, fuel & supplies for Negro Home Demonstration Agent	300.00
(h) Clerical help for Negro Agents	600.00
(i) Contingents County Agent & Home Agent	75.00
TOTAL, Item 9	\$ 3,465.00
Item 10. (a) Contingent Fund	\$ 30,000.00
(b) Contingent expense and travel	300.00
<i>Provided, that any expense or travel allowed from the contingent travel shall be approved by a majority of the Legislative Delegation.</i>	
TOTAL, Item 10	\$ 30,300.00
Item 11. There is hereby appropriated the sum of fifteen thousand dollars or so much thereof as may be necessary to be used for the purchase of fire fighting equipment to be used both within and without the limits of the City of Gaffney in order to protect the public from the hazards of fire. The city council of the City of Gaffney shall be charged with the responsibility of writing speci- fications for the fire fighting equipment. They shall receive bids and shall award the contract to	

the low bidder meeting specifications. Before a contract may be awarded for the purchase of fire fighting equipment as provided herein, at least three bids must be received from bidders meeting the specifications. \$ 15,000.00

TOTAL, Item 11 \$ 15,000.00

Item 12. Thicketty Creek Watershed Conservation District \$ 500.00

TOTAL, Item 12 \$ 500.00

The sum hereby appropriated shall be used for mileage, per diem and other expenses as authorized by law.

GRAND TOTAL \$496,575.50

Less: Unexpended Balances, 1961 Supply Act:

Roads, Bridges, and Chain Gang \$ 292.81

Law Enforcement Officers 5,305.76

Other County Officers 4,183.13

County Health Department 1,041.94

Public Buildings 2,032.05

Hospital 10,795.76

County Share of Retirement

County Share of Social Security 801.20

Farm Demonstration 195.51

Contingent Fund 3,178.26

A Fire Truck 15,000.00

TOTAL, Unexpended balances 1961 \$ 42,826.42

\$453,749.08

Less: Estimated Revenues other than Taxes:

Fines & Costs Magistrates \$ 58,471.20

Fines & Costs Clerk of Court 10,204.13

Civil Costs—Sheriff—Magistrates & Constables 2,721.79

State Income Tax 43,695.96

Gasoline Taxes 100,220.47

Insurance License Fees 19,070.97

State Bank Tax	3,656.56
Interest	2,991.30
Rent Office Space	4,006.41
Miscellaneous	241.31
Liquor—Beer & Wine Tax	11,265.16
State Highway Reimb. on Contract	387.50
Fees, Costs and Com's.—County Officers	23,499.76

TOTAL, Revenue other than taxes	\$280,432.52
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Total Estimated Amount to be raised by taxation\$173,316.56

Provided, that no fund herein appropriated for any one purpose shall be used for any other purpose without the written consent of a majority of the Legislative Delegation.

SECTION 2. The Treasurer of Cherokee County is hereby authorized and directed to transfer to the credit of the county board of education the sum of thirty thousand dollars from the beer, wine and liquor taxes accruing to Cherokee County to be used to purchase school textbooks to be furnished free to the school children of Cherokee County and to pay for such books already purchased.

Provided, that any balance brought forward from the 1961 county appropriation act shall be included in the thirty thousand dollars herein appropriated.

SECTION 3. The county treasurer is hereby authorized and directed to pay upon warrants issued by the county board of commissioners the sum of twenty thousand dollars from the county's share of the one cent gasoline tax now on hand for the purpose of surface treating roads or streets in and around the towns and populous section of Cherokee County; *provided*, that the grading and preparing of such roads and streets or surface treating shall be done by the city or county road forces under the supervision of a competent engineer and the work shall be done in accordance with the State Highway Department's specifications, and no surface treating shall be done without approval of the engineer; *provided*, further, that the roads and streets to be improved under the terms of this section shall be agreed to, in writing, by a majority of the county delegation.

SECTION 4. The court crier, jury boy and bailiffs in the Circuit Court of Cherokee County shall be paid a per diem of five dollars

for the actual number of days served, and the jurors and the members of the board of assessors and the board of equalization shall be paid a per diem of ten dollars for the actual number of days served. The coroner's jurors (6) shall be paid two dollars and fifty cents per inquest.

SECTION 5. The working of the chain gang shall be under the management of the county board of commissioners. Before any employee is hired or discharged, the act must meet with the approval of the county board of commissioners; *provided*, however, that the county supervisor may suspend any employee without compensation for a period not to exceed two weeks when in his discretion it is deemed advisable to protect the best interest of the county. In case of suspension, the supervisor shall notify the county board of commissioners of his action and make recommendations as to the reinstatement or permanent discharge of the employee. The decision of the county board of commissioners after receipt of notice and recommendations shall be governing.

SECTION 6. The clerk of the county board of commissioners shall have authority to make purchases of necessary supplies, not to exceed fifty dollars, without first receiving approval of the county board of commissioners. However any purchases exceeding fifty dollars must first be approved by the county board of commissioners, and, before being paid, all claims shall be approved by the county board of commissioners.

SECTION 7. The amount herein appropriated shall be paid out as near as practicable one-twelfth each month during the year 1962, and, if any item or salary has been overpaid for any month, such overpayment shall be deducted from the following month. Any note or contract made by any officer of the county or by the board of county commissioners for any amount not included in this appropriation act shall be null and void; any officer or employee who disregards any of the provisions hereof without the written consent of a majority of the Cherokee County Delegation to the General Assembly, kept on file in the treasurer's office, shall be guilty of a malfeasance in office and subject to removal. If the county supervisor or the board of commissioners at any time finds that the appropriation or monthly allotment is not sufficient to maintain the maximum chain gang and equipment or road maintenance, then, in that event, they are required to send to the State

Penitentiary a sufficient number of long term chain gang prisoners and reduce equipment and other expenses so that expense will come within the monthly allotment herein provided. All appropriations herein made are subject to the right and authority of the majority of the Cherokee County Delegation to change, alter or deduct therefrom at any time, without notice, when in its judgment such change, alteration or deduction is necessary for the best interest of the county or to conform with the revenue expected during the life of this act. *Provided*, that the changes made by the delegation pursuant to the authority herein conferred shall not operate to increase the total amount herein appropriated.

SECTION 8. The supervisor and the chain gang and employees of Cherokee County are hereby prohibited from doing any private work and spending any money of the county on any private roads or private property.

SECTION 9. The clerk of the county board of commissioners shall, during each month, send to each member of the Cherokee County Delegation an itemized list of all expenditures of the county for the preceding month, and also an itemized list of all obligations incurred and not paid.

SECTION 10. Immediately following each meeting of the county board of commissioners, the clerk of the board shall send each member of the Cherokee County Legislative Delegation a certified copy of the minutes of such meeting.

SECTION 11. The county attorney shall give legal advice to all county officers, including the grand jury, on any subject affecting the official matters of Cherokee County, and the amount herein appropriated shall be in full for all services of the county attorney, except litigated cases brought or defended with the approval of the legislative delegation.

SECTION 12. Whenever references are made in this act to any action of or by the legislative delegation or county delegation, the same means the joint approval, agreement, or order of the Senator and at least one-half of the Representatives of Cherokee County in the General Assembly. In the event, however, of the death, resignation or removal of any one or more of the members of the delegation, the remaining members shall have the right to execute any such approval, agreement or order.

SECTION 13. There shall be elected by the county legislative delegation, or a majority thereof a supply clerk at a salary of two hundred and fifty dollars per month. His duties shall consist of checking in and out materials and supplies purchased by the county for chain gang and road building purposes which shall be subject to his inspection at all times, and keeping proper records of such transactions. The supply clerk shall be furnished, by the county board of commissioners, with an office and a building for storage of all such materials and supplies. No warrant for the payment of any such materials and supplies shall be issued until the supply clerk shall certify, in writing, to the receipt of same, and he shall keep proper records to show to which agency of the county such materials and supplies were issued or delivered. *Provided*, monthly reports shall be made to the Cherokee County Delegation.

SECTION 14. No long distance telephone calls shall be charged to the county except such as are necessary in performing a public duty in connection with the administration of the affairs of the county, and no claim for any such calls shall be approved or paid unless on a verified itemized claim showing the name of the person making the call, the person to whom the call was made and the date and purpose thereof.

SECTION 15. The attendance teacher and the school lunch supervisor shall be paid sixty-five dollars per month each from the County Board of Education Contingent Fund (Item 7 (c)). Travel shall be paid at the prevailing rate of mileage allowed by the State. A report of the number of miles traveled on official business shall be submitted monthly to the county board of education for approval, and a warrant of the board shall be issued in payment thereof.

Provided, the salary of the clerk to the school lunch supervisor and the secretary of the county probation and parole officer shall be three thousand dollars each annually.

The attendance teacher shall receive a salary supplement during each school month sufficient to make such teacher's monthly salary during the school months equal to the monthly salary which would be paid such teacher for teaching in the public schools of Cherokee County. The supplement provided for herein shall be paid from the contingent fund of the county board of education. *Provided*, the salary supplement herein authorized shall not exceed the supplement paid for the year 1961.

SECTION 16. There may be expended for county purposes during the months of January, February and March of 1963, the amounts authorized herein to be expended for the same months during the year 1962. All such expenditures shall be made from the general fund of the county. This provision is included in this act so that the activities of the county may continue uninterrupted until the appropriation act for the calendar year 1963 is adopted.

SECTION 17. The County Board of Commissioners of Cherokee County may rent office space in the Cherokee County Courthouse and the Cherokee County Agricultural Building for use by persons or organizations in the performance of State or Federal functions. No office space in such building shall be occupied by any person or organization not using such office space in the performance of State, county or Federal functions. Any person or organization using such office space in performance of a function of the Federal Government shall be charged a reasonable rental, based upon the space occupied and the services provided, as determined by the county board of commissioners.

SECTION 18. The appointive members of the Cherokee County Board of Education and the members of the Board of Trustees of Cherokee County School District No. 1 shall receive per diem of twenty dollars and mileage at the prevailing rate allowed by the State for attendance upon meetings of their respective boards, but the payment of such per diem and mileage shall be limited to not more than two meetings during each month. The per diem and mileage of the members of the board of education provided for in this section shall be paid from the contingent fund of the county board of education and the per diem and mileage of the members of the board of trustees provided for herein shall be paid from the general school funds.

SECTION 19. Not to exceed the sum of five thousand dollars of the proceeds received by Cherokee County from contracts between the State Highway Department and the county for pipe to be used on roads which are the subject of contracts between the department and Cherokee County, pursuant to authority of Section 33-165, Code of Laws of South Carolina, 1952, shall be set up as a revolving fund which shall be used for the purpose of purchasing pipe for use on roads referred to in this section. A separate accounting shall be kept of all pipe purchased pursuant to this section and the contract with the State Highway Department, and any reimbursements made

by the department to Cherokee County for pipe shall be credited to the revolving fund set up pursuant to the terms of this act.

SECTION 20. In the event an application for a warrant or an application for the issuance of any civil process is either refused by any magistrate in Cherokee County with jurisdiction, or the magistrate is incapacitated for any reason, then any such applicant shall have the right to apply to any other magistrate in the county who may, in his discretion, assume jurisdiction and issue the warrants or process as if he originally had jurisdiction.

SECTION 21. For the fiscal year 1962-1963 the Board of Trustees of School District No. 1 of Cherokee County, with the approval of the county board of education, shall fix a tax levy for school purposes for the county which shall be submitted to the county auditor not later than July 15, 1962, whereupon the auditor shall levy and the treasurer shall collect such millage. When a levy has been fixed and approved, as provided herein, and the budget for the various items and purposes necessary for the operation and maintenance of the schools of the county has been finally approved, there shall thereafter be no transfers from one purpose or one item within the budget to another without prior approval of the board of trustees and the board of education of the county. In the event that the board of trustees and the county board of education have failed to agree upon a levy for school purposes for any school year by July fifteenth, then the auditor shall levy and the treasurer shall collect the same millage as that collected for the operation of schools of the county for the previous year. Requisitions for the expenditure of funds from the county treasury shall be itemized and accompanied by invoice or other satisfactory evidence of the propriety of the payment. *Provided*, that the Sunnyside School in Gowdeysville Township shall remain in operation for the school year 1962-1963.

SECTION 22. All persons receiving expense accounts must submit to the clerk of the county board of commissioners an itemized statement of monthly expenses before being compensated for such expenses.

SECTION 23. All the duties now prescribed for the Cherokee County Board of Commissioners for the operation of the Cherokee County Home are hereby devolved upon the Cherokee County Hospital Board and the board shall lease the county home with all build-

ings, property and equipment pertaining to the operation thereof to a private individual or corporation, and such buildings, property and equipment shall be operated as a rest home.

SECTION 24. All acts or parts of acts inconsistent herewith are repealed.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1267, H2475)

No. 1061

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Eliminate The Proviso Which Exempts School District No. 10 Of Cherokee County From Such Limitations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Cherokee County School District No. 10.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: strike out the proviso of this section which reads as follows: "*Provided, further, that the limitations imposed by this Section shall not apply to School District No. 10, Cherokee County, such school district being hereby expressly authorized to vote bonds to an amount not exceeding \$300,000.00, the proceeds of such bonds to be applied solely for school purposes in said district, under such restrictions and limitations as the General Assembly may prescribe, and where the question of incurring such indebtedness is submitted to the qualified electors of said school district, as provided in the Constitution upon the question of bonded indebtedness.*"

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State, relating to the limit of bonded indebtedness of certain political subdivisions, be

amended so as to eliminate the proviso which exempts School District No. 10 of Cherokee County from such limitations?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

(R1272, H2199)

No. 1062

An Act To Authorize The Board Of Trustees Of School District No. 1 Of Cherokee County And The Cherokee County Board Of Education To Issue General Obligation Bonds For School Purposes Not To Exceed Nine Hundred Sixty Thousand Dollars, Or So Much Thereof As Will Not Exceed The Constitutional Bond Debt Limitation, To Provide For The Use Of The Proceeds And The Repayment Thereof, To Provide For An Election And To Provide For The Selection Of An Architect And School Site.

Whereas, the Board of Trustees of School District No. 1 of Cherokee County has failed to exercise its authority to issue general obligation bonds as provided in Article 5, Chapter 15, Title 21 of the 1952 Code, which authority has been available since 1951; and

Whereas, the General Assembly recognizes that many school facilities in School District No. 1 are in dire need of improvement, modernization and enlargement in addition to the requirement of totally new facilities; and

Whereas, the foregoing needs are more fully detailed in the Peabody Survey Report on the School District bearing the date of August, 1961, which was made at the request of the Board of Trustees of the School District; and

Whereas, the monetary costs of these needs are in excess of two million dollars while the constitutional bond debt limitation of the district approximates nine hundred sixty thousand dollars; and

Whereas, while all of the needs are considered essential, a priority must necessarily be established because of such limitation; and

Whereas, the conscience of the people dictates that a priority must be founded, in this situation, on basic educational needs; and

Whereas, the deplorable conditions and inadequacy of the school facilities have been known by the School Board since the publication of the survey; and

Whereas, the School Board has failed to utilize the remedial power vested in it to alleviate the situation it is incumbent upon the General Assembly to initiate the necessary legislation to ascertain the wishes of the electorate in the School District as to whether or not general obligation bonds should be issued for the purposes above mentioned. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Cherokee County School District No. 1—bond issue authorized—use of proceeds.—For the school purposes hereinafter set forth the Board of Trustees of School District No. 1 of Cherokee County is hereby authorized, subject to the provisions of Section 6 of this act, to issue general obligation bonds of Cherokee County School District No. 1 in a sum not to exceed nine hundred sixty thousand dollars, or so much thereof as will not exceed the constitutional bond debt limitation, the proceeds of which shall be used for the school needs enumerated herein.

SECTION 2. Issue — maturity — redemption — dates — interest—execution.—Such bonds as may be issued pursuant to Section 1 hereof shall be issued either as a single issue or from time to time in several separate issues. Each issue of bonds shall mature serially in successive annual installments of such amounts as may be determined by the board of trustees. The maturity date of the first annual installment of any series shall not be later than two years from the date of such series and the maturity date of the last instalment of such series shall not be later than fifteen years from the date of such series. The bonds may contain a provision permitting their redemption prior to their stated maturity at such premiums as shall be prescribed by the board. They shall bear such rates of interest as the board may determine, payable semiannually, but not to exceed four per cent per annum. They shall bear such dates and be payable at such places as the board may determine. The bonds shall be executed in such manner as the board shall prescribe.

SECTION 3. Use of proceeds.—The proceeds derived from the bond sales as herein authorized shall be deposited with the Treasurer

of Cherokee County in a special fund, separate and distinct from all other funds, and shall be expended upon authorization of the board of trustees and county board of education for the following purposes:

- (1) The construction of Sunnyside Elementary
School 75,000.00
- (2) New construction and improvements at
Elm Street Elementary School 225,000.00
- (3) New construction and improvements at
West End Elementary School 100,000.00

Provided, that if the Board of Trustees, subject to the approval of the Board of Education, determines that more is needed at any of the above schools it is authorized to expend additional amounts from the remaining funds available.

- (4) Such other needs at Cherokee County School District
No. 1 schools as may be warranted from the remaining
funds available.

SECTION 4. Priority of funds.—Equal priority shall first be given to the three schools named in Section 3 for the full amount shown opposite each. Priority as to other needs in the district shall be determined by the Board of Trustees, subject to the approval of the Board of Education.

SECTION 4-A. Architect.—The architect for such construction and improvements and any new site required to accomplish the purposes enumerated in this act shall be selected by the members of the Board of Trustees and the Board of Education acting as one body.

SECTION 5. Payment.—The full faith, credit and taxing power of Cherokee County shall be pledged for the payment of the bonds and interest, and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all the taxable property in Cherokee County School District No. 1 sufficient to pay such principal and interest as the same respectively mature.

SECTION 6. Referendum — question — ballot.—The Cherokee County Board of Education shall make provision for submitting the question of the issuance of the bonds to the voters, provide the ballots, the boxes and appoint the managers, receive the returns, declare the results of the election and do any and all things necessary to secure the free expression of the qualified electors of Cherokee County on the question of issuing the bonds. The election shall be held on the

day on which the first Democratic primary election is held in June 1962, and shall be held at the several voting precincts in the district.

The board shall give at least two weeks notice, by advertisement, for not less than once a week for two successive weeks, of the time and purpose of the election in a newspaper published and circulated in Cherokee County and it may adopt such other means of notice which in its judgment is calculated to give the public notice of the holding of the election and the purpose of same.

The form of the ballot to be used in the election shall be as follows:

"Shall Cherokee County School District No. 1 issue general obligation bonds of the school district in a sum not to exceed nine hundred sixty thousand dollars, or so much thereof as will not exceed the constitutional bond debt limitation, for school needs of the district?"

In favor of the issuance of the bonds ☐

Opposed to the issuance of the bonds ☐

Those voting in favor of the issuance of the bonds shall deposit a ballot with a check or cross mark after the words "In favor of the issuance of the bonds," and those opposed to the issuance of the bonds shall deposit a ballot with a check or cross mark after the words "Opposed to the issuance of the bonds."

When the election has been had and the results determined the Cherokee County Board of Education shall file in the office of the Clerk of Court for Cherokee County a written declaration showing the number voting for and the number voting against the issuance of the bonds.

No bonds shall be issued pursuant to this act unless the election provided for in this section results in a majority of the ballots cast being in favor of the issuance.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

An Act To Empower The County Board Of School Trustees Of Chester County To Issue Not Exceeding Six Hundred Thousand Dollars Of General Obligation Bonds Of The School Dis-

tract Of Chester County, To Prescribe The Conditions Under Which The Bonds May Be Issued, The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that there is a need for additional public school facilities in Chester County and to that end has determined to authorize the County Board of School Trustees of Chester County, (hereinafter called the "Board"), to issue and sell, either as a single issue, or, from time to time, as several separate issues, not exceeding six hundred thousand dollars of general obligation bonds of The School District of Chester County (hereinafter called the "School District").

SECTION 2. Chester County may issue bonds to improve school facilities.—The Board is hereby authorized and empowered to provide such additional public school facilities as it shall deem necessary, and to repair, enlarge and improve the existing facilities. It is further empowered to acquire land for school purposes and to acquire all equipment that it may deem needed for existing or new facilities. In order to raise moneys to provide such additional public school facilities for the School District, the Board be and it is hereby authorized and empowered to issue and sell general obligation bonds of the School District (without the necessity of holding any election), to the extent of not exceeding six hundred thousand dollars, on such occasions prior to December 31, 1964, as the Board shall prescribe, provided that no bonds of the School District shall be issued, if on the particular occasion that the bonds are issued the applicable constitutional debt limitation shall be exceeded.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the Board shall provide for, except that the first maturing bonds of any issue shall mature within two years from the date as of which they shall be issued; not less than three per cent of any issue shall mature in each year; and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity at par and accrued interest, plus such redemption

premium as may be prescribed by the Board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of the bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Chester County, upon such conditions as the Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. When payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this Act shall bear interest at rates determined by the Board.

SECTION 8. Execution.—The bonds and the coupons to be thereunto attached shall be executed in such manner as the Board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of The School District of Chester County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Chester County and collected by the Treasurer of Chester County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in The School District of Chester County, sufficient to pay the prin-

principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Chester County, to be deposited in a Bond Account Fund for The School District of Chester County, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the Board, for the following purposes:

(i) To defray the costs of issuing the bonds authorized by this act;

(ii) To provide for additional public school facilities for the School District in the manner contemplated by Section 2 of this act.

(d) If, after the final completion of the Board's program, the Board shall certify to the Treasurer of Chester County that any remaining balance in the Bond Account is no longer needed for its program, then such balance shall be held by the Treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers of board.—The powers and authorizations hereby conferred upon the Board shall be in addition to all other powers and authorizations previously vested in the Board and may be availed of pursuant to action taken at any regular or special meeting of the Board.

SECTION 14. Powers of board—further.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the Board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Powers of board—further.—Subsequent to December 31, 1964, all powers to issue bonds by the Board under any general law then existing shall be restored.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1216, H2492)

No. 1064

An Act To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, To Direct The Expenditure Thereof, And Relating To Other Matters In The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Auditor of Chester County is hereby directed to levy during the year 1962, upon the recommendation and approval of a majority of the Chester County Legislative Delegation, a tax of sufficient number of mills after taking into consideration indirect revenue accruing to the county to provide for the operation of the government of Chester County for the fiscal year commencing July 1, 1962, and ending June 30, 1963, as is set forth in Section 1 of this act. *Provided*, that the treasurer is hereby directed to collect such tax. *Provided*, further that the Auditor of Chester County is hereby prohibited from the levying of any tax not approved by a majority of the Chester County Legislative Delegation except as otherwise provided by law for school purposes. *Provided*, further, that if no levy is set for ordinary county purposes, then the levy shall be the same as the preceding year.

Item 1. Administration:

A. Office of Clerk of Court:

Clerk	\$ 4,725.00
Deputy Clerk	3,045.00
Assistant Deputy Clerk	2,415.00

B. Office of Auditor:

Auditor (in addition to amount paid by the State of South Carolina)	1,500.00
Auditor—travel expenses	300.00
Assistant Auditor	3,045.00

C. Office of Treasurer:

Treasurer (in addition to amount paid by the State of South Carolina)	1,500.00
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Treasurer—travel expenses	300.00
Assistant Treasurer	3,045.00
D. Tax Collector	3,990.00
Deputy Tax Collector	2,730.00
E. Office of Judge of Probate:	
Judge of Probate, Salary	4,725.00
Deputy Judge of Probate, Salary	2,415.00
F. Office of the County Manager and the County Board of Directors:	
Board members—Chairman, \$1,260.00, four members @ \$1,050.00 each	5,460.00
County Manager	6,300.00
<i>Provided</i> , that the County Manager shall carry out duties as hereinafter prescribed.	
Stenographer for County Manager	3,045.00
G. Board of Equalization and Assessment Control	1,575.00
<i>Provided</i> , that this appropriation shall be spent under the direction of the County Manager with the approval of the Chester County Legislative Delegation.	
H. Legal Services, including County Attorney ..	2,310.00
<i>Provided</i> , that all county agencies, departments, institutions and offices, including County Board of School Trustees and Chester County Hospital Board, shall call upon the legal department for any advice, opinions and other legal information.	
I. Premiums on Bonds of County officials	1,500.00
J. Premiums on Workmen's Compensation Insurance for County Employees	6,000.00
K. Janitor Service—Courthouse and other public buildings	2,100.00
<i>Provided</i> , the County Manager shall use the prison labor when available.	
L. Custodian of Chester County War Memorial Building	840.00
<i>Provided</i> , the custodian shall be appointed by the County Manager upon the recommendation of a majority of the Chester County War Memorial Commission.	

M.	Coroner—Salary	1,450.00
	Coroner—Travel expenses	300.00
Item 2.	Sheriff's Office:	
A.	Sheriff	\$ 4,725.00
	Deputy Sheriff	4,116.00
	Record Clerk	2,415.00
	The Sheriff shall set up a complete system of records showing information on all prisoners placed in the jail and any other records he may deem wise. <i>Provided</i> , the record clerk shall keep such records and such records shall be available to the magistrates and all law enforcement officers. <i>Provided</i> , such records shall show the time when a prisoner is confined in County Jail and when released.	
B.	Jailor	2,730.00
	<i>Provided</i> , that the Sheriff or Jailor may reside in the living quarters of the jail and shall have charge of the dieting of prisoners in the jail.	
C.	Jail expenses in dieting of prisoners and convicts in County Jail	4,500.00
	<i>Provided</i> , that the Jailor or Sheriff keep an accurate record of the time a prisoner enters and leaves the County Jail and the number of meals served each prisoner while he is confined in the County Jail. Such Jailor or Sheriff shall be paid on the basis of thirty cents per meal.	
	<i>Provided</i> , further, that the County Manager shall have supervision of and shall be held responsible for the expenditure of the above appropriation and shall be empowered to make rules and regulations of the expenditure thereof. <i>Provided</i> , further, that the Jailor or Sheriff shall submit to the County Manager his record of time each prisoner or convict spent in County Jail. Such records shall be used as a basis of payment by the County Manager for the dieting of prisoners and convicts.	
	<i>Provided</i> , further, that before payment is made by the County Manager to the Jailor or Sheriff	

the County Manager shall compare and check record submitted by Jailor or Sheriff with the jail book in the Sheriff's office.

Item 3. Magistrates:

A. First District	\$ 3,528.00
B. Second District	1,050.00
C. Third District	1,260.00
D. Fourth District	1,050.00
E. Fifth District	913.50
F. Sixth District	913.50
G. Seventh District	3,150.00
H. Magistrates' Constables (5)	1,165.50

Provided, that the Constables shall be paid salaries at the rate now provided by law plus 5%.

Item 4. Law Enforcement, Countywide\$ 34,870.50

Item 5. Law Enforcement, Great Falls Area\$ 16,590.00

Item 6. Miscellaneous Law Enforcement:

A. Support and Maintenance of Convicts at Stockade	\$ 10,000.00
B. Technician for Police Radio	600.00
C. Leased Telephone Line for Great Falls Law Enforcement Officers	1,080.00
D. Police Radio Operator	3,045.00
E. County Share for Police Radio Operator	1,522.50
F. Relief Operator, Police Radio	840.00

Provided, that Police Radio Operators and Police Radio Technician shall be employed by the Chester County Police Commission upon the recommendations of the Chief of County Police; and *provided*, further that the Chester County Police Commission shall prescribe the duties of the Police Radio Operator and Police Technician.

G. Uniforms and supplies for Law Enforcement Officers 2,000.00

Provided, that the County Manager shall purchase uniforms as needed.

Provided, further, that when a new law enforcement officer is hired there is hereby authorized and directed a deduction of \$25.00 per month

from such officer's pay for a period of six months, such amount to apply to the purchase of uniforms.

- H. Jurors and Witnesses, including Magistrates' Jurors for regular or special term of court 8,000.00

Provided, that jurors for the Circuit Court shall be paid mileage each way for each mile actually traveled each day at 5¢ per mile.

Provided, jurors shall be paid at the rate of seven dollars and fifty cents per day.

Provided, Magistrates' jurors shall be paid as provided by law.

- I. Post Mortems, Inquests, Lunacy Commitments 1,000.00

- J. For operation of Law Enforcement automobiles 6,500.00

Provided, that identification signs shall be placed on all Chester County law enforcement automobiles. The County shops shall be used for maintenance of all law enforcement automobiles and vehicles whenever possible. *Provided*, further, that law enforcement automobiles shall be used for official business only.

Item 7. Farm Agencies:

- | | |
|---|-----------|
| A. Supplement to County Agent | \$ 945.00 |
| B. County Agent for supplemental postage, telephone, etc | 50.00 |
| C. Supplement Salary to Assistant County Agent | 630.00 |
| D. Supplement to County Agent's Stenographer | 420.00 |
| E. Boys' 4-H Club Work | 50.00 |
| F. Girls' 4-H Club Work | 50.00 |
| G. Supplement Salary to Home Demonstration Agent | 315.00 |
| H. Supplement to Stenographer for County Home Demonstration Agent | 630.00 |
| I. Supplies for Home Demonstration Agent | 100.00 |
| J. Supplement to Salary, Negro Agricultural Agent | 252.00 |
| K. Janitor Service | 36.00 |
| L. Rent | 240.00 |
| M. Lights | 12.00 |
| N. Fuel | 80.00 |
| O. Telephone | 122.00 |

	P. Secretary to Negro Agricultural Agent and Negro Home Demonstration Agent	1,386.00
	Q. Negro Home Demonstration Agent, Material ..	50.00
	R. Negro Agricultural Agent, Demonstration Material	50.00
	S. Negro 4-H Club Work, Boys' and Girls'	100.00
	T. Negro Home Demonstration Agent	1,827.00
Item 8.	Welfare:	
	A. Supplement Salary to County Director of Public Welfare	\$ 315.00
	B. Supplement to Chester County Public Welfare Board	408.00
	<i>Provided</i> , that members shall be paid at the rate of ten dollars per meeting and for mileage. (12 meetings per year.)	
	C. Supplement to salaries Case Workers and Junior Stenographers, Chester County Welfare Department, to be paid at the rate of \$10.00 per month per worker	720.00
Item 9.	Health:	
	A. State Board of Health—Vital Statistics	\$ 500.00
	B. County Health Department	13,830.00
	C. Tuberculosis Clinic Work	800.00
	D. County Physician	1,452.00
Item 10.	Veterans:	
	A. Service Officer for Veterans of all wars	\$ 3,900.00
	B. Travel for Service Officer, if so much be necessary	1,200.00
	C. Stenographic Help for Service Officer	2,300.00
Item 11.	National Guard Unit at Chester	\$ 1,500.00
Item 12.	Road Department:	
	A. Road equipment and expenses of operation of same, including road construction program operated in connection with and under the supervision of the State Highway Department on State highways, including labor, roads, bridges, culverts and pipe lines	\$ 57,500.00
	<i>Provided</i> , that the above amount is appropriated for the above stated purposes only, and before any new road construction or new projects are	

undertaken by the County Manager and County Board of Directors, prior appropriation therefor shall be made by the County Legislative Delegation. *Provided*, further, that the County Manager shall be held responsible for any construction or new projects made contrary to the above provisions. *Provided*, further, that all trucks, motor graders, tractors and other equipment shall have identification signs showing that they are the property of Chester County. Such signs shall be as follows: "Property of Chester County."

Item 13. Miscellaneous:

A. Contributions on office rent, heat, water, lights, janitor service, Farm Home Administration . . .	\$ 160.00
B. Public Buildings, including water, lights, fuel and insurance, including Health Centers, Great Falls Jail and Chester County War Memorial Building	9,000.00
C. Printing, postage and stationery	8,500.00
D. Retirement and Social Security, County employees	7,500.00
E. Chester County Commerce and Development Board, for advertising county advantages, if so much be necessary	6,000.00
F. Chester Soil Conservation District to be used in employment of personnel to work with the Soil Conservation Service	1,000.00
G. Miscellaneous Expenses, County Manager	1,200.00
H. Civil Defense, if so much be necessary	4,900.00
<i>Provided</i> , the appropriation for Civil Defense shall be budgeted by the County Manager with the approval of the Chester Legislative Delegation.	
I. Board of Registration	500.00
J. Expense, Tax Notices and Auditing Fees	1,000.00
K. Premium, Accident Insurance, County Law Enforcement Officers	275.00
L. Nursing Home Patients, if so much be necessary	6,000.00

Provided, that the above amount shall be expended by the County Manager on patients in nursing homes that are approved by the State Board of Public Welfare and the State Health Department; *provided*, further, that such patients shall be approved by the Chester County Welfare Department.

- M. Chester County Board of School Trustees 3,120.00

Provided, that the above appropriation shall be paid each trustee at the rate of \$25.00 per meeting not to exceed 12 meetings per year.

- N. Chester County Library (in addition to levy made hereinafter in Section 2) 3,000.00

Provided, the Chester County Library Board is hereby authorized and directed to raise all employees salaries in the amount of five per cent beginning July 1, 1962.

- O. Mental Health Clinic, Chester County's Contribution 3,551.80

Provided, this amount is hereby appropriated contingent upon the operation of a mental health clinic in conjunction with Lancaster and York Counties.

- P. Hospitalization of charity patients whose condition demands hospitalization, if so much be necessary 7,500.00

Provided, that the treasurer shall make these funds available direct to the Chester County Hospital Board upon itemized statements of the number of days spent in the hospital by charity patients signed by each patient and certified by the hospital management. *Provided*, further, the Chester County Hospital Board is responsible for and charged with the expenditure of the above levy for hospitalization of charity patients and is hereby authorized and directed to make such investigations in order to determine who is eligible for charity hospitalization as they deem wise. *Provided*, further, that the Chester County Board of Public Welfare is hereby di-

rected to make any such investigations of charity patients as the Chester County Hospital Board may request. *Provided*, further, that the charity patients referred to herein shall be citizens of Chester County.

TOTAL\$337,156.30

SECTION 2. The following taxes are levied upon the taxable property of Chester County for the year 1962 for expenditure during the fiscal year commencing July 1, 1962 and ending June 30, 1963, for the following purposes:

(a) To provide funds for retiring and paying interest on Chester County Hospital bonds (issue of 1950) and War Memorial Building bonds (issue of 1949), three mills;

(b) For county roads, five mills, to be expended on the county roads. Such expenditure shall include labor, roads, bridges, culverts and pipe lines and the construction program operated in connection with and under the supervision of the State Highway Department on roads now in or roads to be placed in the State Highway System. The funds raised from this levy are appropriated for the above-stated purposes only, and any new road construction or projects shall not be undertaken by the County Manager or the County Board of Directors unless and until an appropriation has been made therefor by the county legislative delegation;

(c) For Chester County Library, one and three-quarters mills; *provided*, this levy shall supersede levy made in Act No. 293 of the Acts of the General Assembly of 1949.

Provided, however, that the Auditor of Chester County is hereby directed, upon the written approval of a majority of the Chester County Legislative Delegation, to reduce these levies or to eliminate them entirely.

Provided, further, that in case the funds provided by the above levies prove to be more than enough for such purposes, the treasurer, upon the written authority of the majority of the Chester County Legislative Delegation, shall transfer such excess funds to the Chester County Contingent Fund.

SECTION 3. The county treasurer is empowered to borrow in anticipation of taxes levied so much money as may be necessary to pay the authorized expenses of the county in case of emergency;

provided, it shall be borrowed upon the request of the board of county directors, with the approval in writing of a majority of the Chester County Legislative Delegation.

SECTION 4. In the event it should be found that the amount appropriated for any specific purpose is more than is necessary, the county manager shall have the right, with the written approval of a majority of the legislative delegation, to apply such surplus to other necessary county purposes and *provided*, further, that the county manager shall not have the right to exceed the appropriations herein made for any specific purpose unless he is authorized prior thereto in writing by a majority of the legislative delegation.

SECTION 5. All county officers, departments, boards and agencies, including the jailor, when in need of supplies, shall make written requisition to the county manager for all supplies needed and in no case shall any purchases be made except as above specified.

SECTION 6. The errors, if any, in the total of this act shall not affect any of the several items named herein.

SECTION 7. The salaries, expense items and rents herein provided for shall be payable monthly, unless otherwise specified and provided.

SECTION 8. The county manager is hereby authorized to allow any pay for full ten days' time every two weeks for regular truck drivers, regular machine hands, regular machinists or mechanics, regular foremen of bridge gangs and regular patrol foremen when their time may be interfered with by weather conditions; *provided*, these employees shall be paid weekly; *provided*, however, that these employees report for work and do such work as conditions will permit; *provided*, further, that this shall not interfere with previous arrangements made by the county manager in case of sickness of employees and shall not interfere with the number of holidays heretofore allowed and *provided*, further, that the provisions of this section shall not be construed to interfere with the authority of the county manager to discharge any employee for cause, dismiss one when his term of employment has expired, or "lay off" one when his services are not needed, or when there are no funds with which to pay for the work in which he is engaged. *Provided*, further, that the county manager is hereby authorized to allow a vacation of one week each year with pay for such employees who have been in the employ

of the county for one full continuous year immediately preceding such vacation. *Provided*, further, that the rate of pay for all county road employees shall be determined and fixed by the county manager and shall be consistent with the amount appropriated each year in the annual Chester County Appropriations Act. *Provided*, further, that when the pay is so determined by the county manager, such rates of pay shall be recommended to the county board of directors for their approval. *Provided*, further, that the county manager is hereby authorized and directed to increase salaries of all county road employees enumerated above five per cent as of July 1, 1962.

SECTION 9. The furniture, fixtures and equipment located on the second floor of the Chester County War Memorial Building shall not be loaned or removed from the building.

SECTION 10. The county manager is hereby authorized to lease or sell land and building formerly known as the Chester County Nursing and Convalescent Home. *Provided*, that before any lease or sale is made by the county manager he shall submit same to the county board of directors and county legislative delegation for their approval.

SECTION 11. The salaries appropriated in this act for all county officers and offices are appropriated in lieu of all fees now provided by law and shall be paid in lieu of all fees.

SECTION 12. The salary for the court bailiff is hereby fixed at six dollars per diem for days actually served in court.

SECTION 13. The county manager and the executive secretary of the Chester County Board of School Trustees are hereby authorized and directed to post on or before the tenth day of each month, on the bulletin board in the courthouse, an itemized list of all disbursements made during the preceding month.

SECTION 14. The county manager is hereby authorized and directed to maintain all streets in the City of Chester not now in the State Highway System.

SECTION 15. The words "County Delegation," "majority of the legislative delegation," and words of similar import when used to refer to the group which must approve or take certain action shall, in all cases when used in this act or any act applicable to Chester

County, mean the Senator and one-half of the members of the House of Representatives from Chester County.

SECTION 16. The county manager shall annually inventory and identify by proper number of markings all furniture, fixtures and equipment owned by Chester County.

SECTION 17. The levy provided for in Section 21-1816, Code of Laws of South Carolina, 1952, as amended, shall be utilized only for the operation of the schools of Chester County.

SECTION 18. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1257, H2733)

No. 1065

An Act Creating A Committee To Study The Needs, Feasibility And Desirability Of A System Of Building Permits And Regulations For Fire Protection And Control And Other Purposes In The Great Falls Public Service District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Committee to study needs in Great Falls Public Service District for regulations for fire protection.—There is hereby created a committee, consisting of the members of the Great Falls Service Commission and two members to be appointed by the Chester County Legislative Delegation on recommendation of the Great Falls Merchants' Association, to study the needs, feasibility and desirability in the Great Falls Public Service District of a system of building permits and regulations for fire protection and control and other purposes. It shall report its findings and recommendations to the legislative delegation at the beginning of the 1963 session of the General Assembly.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R755, S515)

No. 1066**An Act To Extend The Open Season For The Hunting Of Quail And Rabbits In Chesterfield County.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Hunting season for quail and rabbits in Chesterfield County.—Notwithstanding any other provisions of law to the contrary, the open season for the hunting of quail and rabbits in Chesterfield County shall be to and include March 1, 1962.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R797, S572)

No. 1067**An Act Authorizing The Trustees Of Chesterfield County School District No. 4 To Sell Petersburg High School.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chesterfield County School District 4 may sell property.—The trustees of Chesterfield County School District No. 4 are authorized to sell old building formerly used as Petersburg High School to the Chesterfield County Garment Corporation for the sum of twenty-five hundred dollars.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R921, H2453)

No. 1068**An Act To Authorize The Trustees Of School District No. 3 Of Chesterfield County, The State Of South Carolina, To Borrow Seventy-Five Thousand Dollars For Constructing And Equipping Additional School Facilities And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Trustees of School District 3 of Chesterfield County may borrow money—issue notes—interest—when payable.—The Trustees of School District No. 3 of Chesterfield County, The State of South Carolina, may borrow for the purpose of constructing and equipping additional school facilities not exceeding seventy-five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board of trustees and the treasurer of the county. The note or notes shall bear interest at the rate of four per cent per annum from the date thereof and shall be payable in five successive equal annual instalments.

SECTION 2. Payment.—For the payment of the note or notes School District No. 3 of Chesterfield County, The State of South Carolina's portion of Chesterfield County's annual proceeds received by authority of Act 260 of 1957, as amended, shall be used to retire the loan and interest due thereon. If the annual proceeds from such source are insufficient for such purpose, the Auditor of Chesterfield County shall levy and the Treasurer shall collect a tax on all the taxable property of the school district sufficient to supply the additional revenue needed and the entire proceeds of such levy shall be applied to the payment of the note or notes inclusive with the interest in full at which time the levy shall be terminated. The full faith, credit and taxing power of the district are hereby irrevocably pledged for the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment the State Treasurer is directed to withhold all State funds accruing to the district which have not heretofore been pledged for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R981, H2522)

No. 1069

An Act To Authorize The Trustees Of Chesterfield County School District No. 5, And The County Treasurer Of Chesterfield County, To Borrow Not Exceeding Eight Thousand Dollars To Be Used To Purchase And Install A Lighting System For The Athletic Field, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chesterfield County School District 5 may borrow money—notes—execution—interest.—The board of trustees of School District No. 5 of Chesterfield County, and the County Treasurer of Chesterfield County, are hereby authorized to borrow not exceeding eight thousand dollars from the State Sinking Fund, or any other lending agency at the lowest interest rate available, for the purpose of purchasing and installing a lighting system for the athletic field. The amount borrowed shall be evidenced by a note or notes to be executed by each member of the board of trustees of School District No. 5 of Chesterfield County and by the Treasurer of Chesterfield County. The note or notes shall bear interest at not exceeding four per cent per annum from the date thereof; interest to be paid annually; and shall be payable in five equal, annual installments with the right to anticipate payment thereof at any annual interest paying period.

SECTION 2. Payment.—For the payment of the note or notes the board of trustees of School District No. 5 and the County Treasurer of Chesterfield County shall pledge the annual grant from the State Educational Finance Commission for the repayment of the loan and the interest thereon.

SECTION 3. Payment—further.—As additional security for the loan, in the event the annual grant to the school district by the State Educational Finance Commission shall be insufficient to pay the principal and interest on the loan, the Auditor of Chesterfield County shall levy, and the Treasurer of Chesterfield County shall collect, an annual tax upon all of the taxable property of School District No. 5 of Chesterfield County sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of interest, in full, at which time the levy provided herein shall be terminated. In the event the school district may receive or have on hand any funds not otherwise

pledged nor designated for a particular use, such funds may be used for payment of the loan and interest thereon.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R1003, S662)

No. 1070

An Act To Authorize The Board Of Trustees Of Chesterfield County School District No. 4 To Convey Certain Property To The Town Of Mt. Croghan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chesterfield County School District 4 to convey property to Town of Mt. Croghan.—The Board of Trustees of Chesterfield County School District No. 4 is hereby authorized to convey, for the consideration of the sum of five dollars, to the Town of Mt. Croghan all its title and interest in the building and land known as the Mt. Croghan gymnasium property.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1058, H2438)

No. 1071

An Act To Make Supplemental Appropriation For Chesterfield County For The Fiscal Year 1961-1962.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriation is hereby made for the year 1961-1962 for the operation of the county government of Chesterfield County:

County Contribution to Retirement	\$ 230.00
County Contribution to Social Security	150.00
Maintenance of Sheriff's Radios	150.00

Jail Expenses	1,000.00
Post Mortem, Inquest, and Lunacy	250.00
Maintenance of Indigents	1,350.00
Reassessment of Property for Tax Purposes ...	775.00
Contingent Fund (hospitalization)	7,500.00
Chesterfield County Rescue Squad	1,900.00
Clerical Help, F.H.A. Office	250.00
Board of County Commissioners for purchase and converting bodies of two trucks	5,447.00
Expenses for Registration of voters, to be ex- pended with the approval of a majority of the Chesterfield County Legislative Delegation	700.00
TOTAL	\$ 19,702.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1266, H2472)

No. 1072

An Act To Provide For The Levy Of Taxes For Ordinary And Other County Purposes For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963; To Appropriate Monies For The Operation Of The County Government Of Chesterfield County During The Fiscal Year And To Further Regulate The Administration Of The County Government Of Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following appropriations are hereby made for the fiscal year July 1, 1962 to June 30, 1963 for the operation of the county government of Chesterfield County :

Item 1. Chesterfield County Highway Fund\$108,000.00
This fund shall be spent by the County Board of Commissioners for the construction, improvement and maintenance of county public roads and bridges, for the purchase, repair, replacement and maintenance of road building and mainte-

nance machinery; for the operation of the county chain gang and for the purposes specified in this act and as set forth in the official budget of the Board of Commissioners and for incidental purposes. *Provided*, that out of this fund shall be paid the salary and travel of the county commissioners; *provided*, further, that the salary of each county commissioner shall be \$600.00 per annum and the travel for each county commissioner shall be \$900.00 per annum. *Provided*, further, that one of the used motor graders be traded for a new motor grader and the difference be paid out of this appropriation. *Provided*, further, that the county highway employees be given a five to ten per cent increase in salary.

Total, Item 1\$108,000.00

Item 2. Administrative Department:

Clerk of Court	\$ 600.00
Clerk of Court Clerk Hire	1,800.00
Salary of Probate Judge	100.00
Clerical Help, Probate Judge	2,100.00
<i>Provided</i> , this appropriation is on condition that the probate judge reimburse the county out of the fees received by him for the entire sum of two thousand one hundred dollars, to be paid to the county treasurer in monthly installments of one hundred seventy-five dollars each, which shall begin July 1, 1962, which shall be placed in the general fund of the county. This provision shall be applicable to a deputy probate judge if such officer be appointed.	
Salary of County Auditor	2,100.00
Clerical Assistance to County Auditor	4,600.00
Salary of County Treasurer	2,100.00
Clerical Assistance to County Treasurer	4,600.00
Extra Clerical Help, if needed for preparation of 1962 Tax Books, Treasurer's and Auditor's offices, \$400.00 each	800.00
Tax Collector	4,000.00

One Clerk to Tax Collector	2,400.00
Purchase of one automobile for use by Tax Collector in official performance of his duties and for automobile insurance thereon	2,000.00
Salary of Clerk to County Board of Commissioners and Road Supervisor	4,000.00
Travel Expenses for Clerk to County Board	900.00
For Assistant Clerk Hire	2,820.00
Salary of Coroner	720.00
Travel Expense—County Coroner	360.00
County Service Officer	2,700.00
Travel Expense—County Service Officer	1,200.00
Clerk, County Service Officer	2,200.00
The state funds payable to Chesterfield County for the maintenance and services of the County Service Office shall be deposited in the county treasury to the credit of the General County Fund.	
Janitor, Courthouse	2,080.00
County Board of Equalization	1,500.00
Vital Statistics	300.00
Stenographer, County and Home Demonstration Office	1,440.00
For Demonstration Supplies and Telephone	250.00
Boys' 4-H Club Work	100.00
Girls' 4-H Club Work	100.00
Negro 4-H Club Work, Boys' and Girls'	200.00
Future Farmers of America	300.00
Salary of Negro Home Demonstration Agent ..	2,080.00
Negro Agricultural Agent and Negro Home Demonstration Agent—Rent, Equipment, Office Expenses, Clerical Help	2,175.00
<i>Provided</i> , this fund shall be spent upon the approval of the Negro Agricultural Agent and the Negro Home Demonstration Agent.	
County Agent, Home Demonstration Agent, and Assistant County Agents @ \$300.00 each	1,500.00
<i>Provided</i> , that each agent and assistant agent must have at least five years experience in extension work to qualify.	

Payment of Rent for FHA Office	240.00
Master's Office, Telephone and Supplies	150.00
County Health Department	8,500.00
County Health Department for salary increases	1,530.00
Water, fuel, lights and insurance and other incidentals for maintenance of public buildings ..	8,000.00
Printing, postage, stationery, office supplies and incidentals for county offices	7,000.00
To County Health Department for maintenance and repairs of Memorial Health Center building and grounds	1,200.00
To Clerk of Court for maintenance of Courthouse grounds	100.00
Salary of County Attorney	1,000.00
<i>Provided</i> , that the county attorney shall be appointed by the County Board of Commissioners subject to the approval of a majority of the county legislative delegation. <i>Provided</i> , further, that the county attorney shall handle all uniform support cases which have formerly been handled by the circuit solicitor.	
County Contribution to Retirement County Officials	5,200.00
Workmen's Compensation	1,500.00
Workmen's Compensation coverage for Chesterfield County School Teachers and School Employees, if so much be needed	1,500.00
<i>Provided</i> , that the school teachers and all school employees of Chesterfield County be provided with Workmen's Compensation coverage and that this coverage be placed with the State's Workmen's Compensation Fund.	
<i>Provided</i> , that the appropriations for a Negro Home Demonstration Agent shall cease when such expense is taken over by the State and Federal Governments.	
County Contribution to Social Security of County Employees	5,000.00
Total, Item 2	\$ 95,045.00

Item 3. Judicial Department:

Salaries of Magistrates:

Courthouse Township	\$ 1,500.00
Pageland Township	1,500.00
Cheraw Township	1,500.00
Alligator Township	1,200.00
Mt. Croghan Township	1,200.00
Jefferson Township	1,200.00
Cole Hill Township	1,200.00
Pee Dee Township	750.00
Steer Pen Township	750.00
Brock's Mill District	750.00

Per diem and mileage of jurors and witnesses,
bailiffs, court crier and other court attaches 7,000.00

Provided, that the bailiffs and court crier shall be paid at the rate of eight dollars for each day of attendance on the court; *provided*, further, that the bailiffs and court crier and jurors shall be paid mileage both ways for each day of attendance on the court at the rate of seven cents per mile; *provided*, further, that magistrate court jurors in criminal cases shall be paid two dollars each, such payment to be made by the Board of County Commissioners on the certification of the magistrate and to be disbursed by the magistrate.

Total, Item 3\$ 18,550.00

Item 4. Law Enforcement:

Sheriff, General Salary	\$ 4,400.00
Sheriff, Travel Expense	2,280.00
Salary, Seven Rural Deputies @ \$3,900.00 each	27,300.00
Uniforms for seven Deputy Sheriffs and Radio Operator, to be approved by Sheriff	1,600.00
Clerical Assistants and Radio Operators for Sheriff's Office	3,600.00
Maintenance and operation of radios for Sheriff and Deputy Sheriffs and incidentals	1,500.00
Jail expense, including dieting of prisoners at \$1.50 per day and incidentals	7,000.00

Cook for Jail	650.00
Post Mortems, Inquests and Lunacies	1,400.00
Officers' Bond	1,800.00
Magistrates' Constables:	
Pee Dee Township	480.00
Steer Pen Township	480.00
Brock's Mill Township	480.00
Maintenance and Operation of cars owned by county and used by Sheriff's Department and Tax Collector	11,080.00
<i>Provided</i> , maintenance of cars be done at county shop when possible and that County Board of Commissioners shall purchase equipment neces- sary for repair and maintenance of such vehicles. <i>Provided</i> , further, that Sheriff shall be custodian of gas, oil, and tires purchased by county for use by Sheriff's Department and Tax Collector. <i>Provided</i> , further, that automobiles of Sheriff's Department shall be used by Sheriff and Deputy Sheriffs in the official performance of their duties only and the automobile of the Tax Collector's office shall be used by the Tax Collector in the official performance of his duties only; that each Deputy Sheriff and the Tax Collector shall file with the Sheriff a record of mileage, gas, oil, etc., each day, and each deputy sheriff shall file with the sheriff a record of warrants, complaints, arrests, investigations, or other activities; and <i>provided</i> , further, that the Sheriff shall file and retain each record in his office for a period of at least three years. <i>Provided</i> , further, that the automobiles of the Sheriff's Department shall be marked on each of the front doors so as to show that the vehicle is owned by the County of Chesterfield, Sheriff's Department. Automobile insurance on automobiles of Sheriff's Department and transportation expense other than automobile expenses	
	1,000.00
Total, Item 4	\$ 65,050.00

Item 5. Contributions and Charity:

Maintenance of Indigents	\$ 6,000.00
Charity Hospital Fund	10,000.00

This fund shall be spent by the County Board of Commissioners, and shall be paid directly to the hospitals. Such aid shall be granted only to destitute persons upon a certificate from a reputable physician that such hospitalization is absolutely necessary. All applications to the County Board of Commissioners for benefits under the "Hospitalization Fund" herein provided shall be referred by the clerk of the board to the County Welfare Department, which shall make an immediate investigation and report its findings, conclusions and recommendations to the County Commissioners. No application for hospital aid shall be approved unless and until it has been recommended by the Director of the County Welfare Department; *provided*, that the clerk of the County Board of Commissioners and the Administrator of the Chesterfield County Memorial Hospital may authorize such aid when the physician certifies that an immediate hospitalization is necessary for an operation or other sufficient medical reason, but not otherwise; *provided*, further, that the application of the patient, the recommendation of the Director of the County Welfare Department and the action of the Board of County Commissioners must be attached to and made a part of the voucher for the payment of all grants of aid under such Hospitalization Fund. When an emergency application for aid from the Hospitalization Fund has been granted by the clerk, or the Board of County Commissioners, as herein authorized, the certificate of the physician upon which the application was granted and the written authorization of the clerk must be attached to the warrant or voucher issued for payment of such aid. No authorization for hospital care shall be

good for more than ten days unless reinvestigated and reapproved and the Board of County Commissioners shall have the authority to set maximums, both for per day and total care. The Treasurer of Chesterfield County is forbidden to pay any claim or voucher drawn against the Hospitalization Fund unless it strictly complies with the terms and conditions herein prescribed, and has such proofs thereunto annexed, and the voucher and proof shall be retained as a permanent record.

Physicians' Fees and Drugs	1,000.00
County Tuberculosis Health Nurse, Supplies and Incidentals	964.00
Three National Guard Companies, \$1,000.00 each	3,000.00
Secretarial Help, Soil Conservation Office	1,200.00
Secretarial Help, F.H.A. Office	300.00
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Total, Item 5	\$ 22,464.00

Item 6. Chesterfield County Welfare Department :

Emergency Relief	\$ 1,000.00
Emergency Board for Children	1,000.00
Office Rent	1,200.00
Telephone and Telegraph	240.00
Fire Insurance Premium on Office Equipment ..	45.00
Contingent Fund	500.00
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Total, Item 6	\$ 3,985.00

The Board of Commissioners is directed and required to supply the necessary fuel, lights, and water for the County Welfare Office and to pay for the same out of the appropriation herein for water, fuel, lights, etc., for the maintenance of public buildings.

- Item 7. General Contingent Fund \$ 5,000.00
Provided, that this amount, or so much thereof as is required, shall be expended to meet unforeseen emergencies and contingencies by the Board of County Commissioners; *provided*, further, that any claims, or items payable from

this fund shall be paid only upon approval in writing of a majority of the county legislative delegation.

Total, Item 7	\$ 5,000.00
Item 8. For Annual County Audit, if so much be necessary	\$ 3,000.00
Total, Item 8	\$ 3,000.00
Item 9. Reassessment of Property for Tax Purposes ..	\$ 12,000.00
Total, Item 9	\$ 12,000.00
GRAND TOTAL	\$333,094.00
Estimated Revenue:	
Gasoline Tax	\$112,000.00
Liquor Tax	29,000.00
Beer and Wine Tax	8,000.00
Income Tax	44,000.00
Insurance License Fee	12,000.00
Bank Tax	3,800.00
Delinquent Tax	9,000.00
Magistrates' Fines	44,000.00
Clerk of Court	8,000.00
County Service Officer	4,500.00
Board of Commissioners	4,000.00
Probate Judge	2,100.00
Total Estimated Revenue	\$280,400.00
Amount to be raised by taxation	\$ 52,694.00

SECTION 2. All appropriations made and provided herein shall lapse, cease and terminate at the end of the fiscal year for which they are made except that appropriations for the payment of bonds or notes or interest on bonds or notes shall remain effective until such bonds, notes or interest are paid.

SECTION 3. The County Commissioners are hereby required to keep a separate account covering the various items of the supply

act and not to exceed in expenditure or contract the amount herein provided for each item, and for any such excess allowed or permitted, such officers shall be held liable on their official bonds. The clerk of the County Board of Commissioners shall make monthly statements of expenditures and balances of the different items, both to the board, and to each member of the Legislative Delegation from Chesterfield County. Any contract made in violation of this act shall not be a valid claim against Chesterfield County.

SECTION 4. All departments of the county government shall make requisition to the County Board of Commissioners for all stationery, books, blanks and supplies and the board shall purchase and provide so much thereof as in its judgment is necessary and proper, and the board shall not approve any account or issue its voucher for any supplies, etc., purchased or ordered by any office or officers of the county. Nothing contained in this section shall be construed to authorize the Board of County Commissioners to make any disbursements in excess of the appropriation made herein.

SECTION 5. All purchases in excess of four hundred dollars of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment and parts, replacements and repairs therefor, and all commodities and supplies of any and every character for the use of the county, its departments, officers and agencies must be purchased by the Board of County Commissioners, upon sealed competitive bids or proposals, after publication of the invitations for bids or proposals therefor in a newspaper in Chesterfield County. All bids or proposals for the purchase of road building machinery shall be advertised in one or more newspapers published in the City of Columbia, S. C.

In advertising for bids the Board of County Commissioners shall prescribe specifications to be met. All bids or proposals must provide that sealed competitive bids or proposals will be publicly received by the Board of County Commissioners at a specific hour, on the named day, and that such sealed bids or proposals shall be then and there publicly opened and published. In all instances the lowest bids or proposals meeting specifications must be accepted or all bids or proposals rejected. The Board of County Commissioners may, at its option and in lieu of advertising for sealed competitive bids, contract for the purchase of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment, and parts, replacements therefor, through the Purchasing and Property Division

of the State Budget and Control Board, or may buy surplus property from any agency of the State or Federal Government. The Board of County Commissioners is hereby authorized and empowered to contract by public bids or proposals, as herein provided, for the commodities and supplies required for the period of a fiscal year, or any part thereof. All of such bids or proposals with the printer's proof of the advertisement for the bids shall be preserved by the Clerk to the Board of County Commissioners as a permanent record in the office of the County Commissioners.

SECTION 6. The Board of County Commissioners may, in its discretion, waive the requirement that all claims be verified and, in lieu thereof, substitute an endorsement to be signed by the payee of the check issued on the claim whereby the payee certifies that the claim for which the check was issued was true and correct and has not been otherwise discharged.

SECTION 7. The County Treasurer and Clerk of Court are required to file quarterly statements in duplicate with the County Board of Commissioners, which shall show the amount of fees collected by each of them. In addition the Treasurer's report shall show the amount of cash on hand, the amount of cash in banks, the name of the banks in which deposited; *provided*, that no county warrant for salary shall be issued to the Clerk of Court until such statement is filed as herein directed, and the provisions of this section shall apply to the county peace officers. *Provided*, further, that a copy of the Treasurer's report shall be delivered by him to each member of the County Legislative Delegation and the Chairman of the County Sinking Fund Commission.

SECTION 8. All officers and employees of Chesterfield County are hereby expressly forbidden to contract to perform any work, or services, for the county, other than their regular employment, or to furnish any materials, or supplies, to the county, and any disbursement made in violation of the provisions of this section shall be unlawful, and any officer making any such contract, or disbursement, shall be liable to the county personally, and on his official bond, for and to the amount of any such contract or disbursement.

SECTION 9. The county auditor is directed to levy eleven mills tax for the Chesterfield County Board of Education, the funds derived from such tax to be used for the operation of the County Board of Education, for the insurance of school buildings, and for the

purchase or rental of textbooks for the public schools of Chesterfield County.

SECTION 10. The county auditor is directed to levy such millage as may be necessary for the payment of principal and interest on bonds or notes of Chesterfield County and on bonds of subdivisions of Chesterfield County which have heretofore been assumed by the county.

SECTION 11. The county auditor shall have the power and authority to levy such millage as may be deemed necessary to meet the absolute needs of the county, and is hereby directed to levy six mills for the operation of the county.

SECTION 12. The County Treasurer of Chesterfield County is hereby authorized and directed to mail to every taxpayer of Chesterfield County, on or before October first, a statement of the amount of the 1962 taxes of such taxpayer. The notice shall show the school district and township in which the property of the taxpayer is assessed.

Such statement shall include a notice that a penalty of one per cent will be added to the taxes on January 1, 1963, one per cent on February 1, 1963, and an additional one per cent on March 1, 1963 and an additional four per cent on April 1, 1963. The cost of the mailing of the notices shall be paid out of the ordinary county fund on the approval of the Board of County Commissioners. A second notice shall be mailed on or before April tenth.

An additional statement shall be included showing all levies in the taxpayer's particular school district.

SECTION 13. With the written approval of a majority of the Legislative Delegation, the Treasurer of Chesterfield County is authorized to borrow money from the South Carolina Sinking Fund Commission in anticipation of the collection of county property taxes. Such loans shall be evidenced by notes signed by the treasurer and taxes shall be pledged for the repayment of the same.

SECTION 14. The Board of County Commissioners is hereby authorized and empowered to pay out of the county contingent fund all necessary costs and expenses incurred by the Tax Collector or the Forfeited Land Commission in connection with the seizure, sale and disposition of real or personal property sold under delinquent tax execution.

SECTION 15. No county gasoline or oil shall be sold to any person or used in any privately owned vehicle, except as otherwise herein provided.

SECTION 16. The Board of County Commissioners is authorized on the filing with it of an official certificate of the County Auditor that any taxpayer is entitled to a refund of taxes erroneously paid, to issue its vouchers for the refund of the tax so erroneously paid. The certificate of the Auditor must be annexed to the voucher for the payment of the claim. Such tax refund shall be paid out of the general county fund.

SECTION 17. The deputy sheriff, magistrates and constables, and county game wardens, the State constables, the State Highway patrolmen, and all other State or county peace officers are hereby directed and required to report to the Sheriff of Chesterfield County, on or before the tenth day of the following month, a schedule or statement of all cases made by each of them before the Magistrate of Chesterfield County. The reports shall show the judgment and sentence imposed by the magistrate in each of such cases so reported and the money fines paid or collected from the defendant in each case. The Sheriff and the Treasurer shall compare such reports of such law enforcement officers with the reports of the county magistrates to be filed monthly, and if there are any material or substantial discrepancies with respect to the monies collected and paid to the Treasurer by the magistrates and the amounts of fines reported by such law enforcement officers, the County Treasurer shall refer the matter to the solicitor for investigation. The County Treasurer is directed and required to refuse the payment of any voucher for the salary of any county magistrate or law enforcement officer until the reports have been made to the Sheriff and the Treasurer.

SECTION 18. The Board of County Commissioners is hereby directed and required to keep a separate itemized account of all expenditures and disbursements made for each office and department of the county government, and shall set out the same in the monthly report required by the provisions of Section 3 of this act.

SECTION 19. The board of trustees of each school district of Chesterfield County shall, within thirty days after the approval of the official budget of such school district by the County Board of Education, have the budget published at least once in a newspaper published in the school district, or in a newspaper published at the

county seat, if there be no newspaper published in the particular school district; *provided*, that the County Board of Education shall adopt, prescribe and require the use of a uniform, standard and comprehensive form of school budget.

SECTION 20. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1269, H2581)

No. 1073

An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For Clarendon County For The Year Beginning July 1, 1962; To Provide For The Expenditure Of Such Taxes And Of Other County Revenues Collected During The Fiscal Year Ending June 30, 1963; To Authorize The Officers Of The County To Borrow Money In Anticipation Of Collection Of County And School District Taxes For The Year 1962 And Previous Years; To Provide For The Transfer Of Unexpended Monies To The General Fund; And Otherwise Relating To The Affairs Of The County And The School Districts Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There shall be a levy upon the taxable property of Clarendon County for the purposes hereinafter specified as follows :

- School District No. 1: A levy of forty-eight mills tax on all taxable property in the district.
- School District No. 2: A levy of fifty-three mills tax on all taxable property in the district; *provided* that ten mills of this levy shall be specially reserved for the retirement of the indebtedness owed by this district to the Sinking Fund Commission.
- School District No. 3: A levy of seventy-nine mills tax on all taxable property in the district; twelve mills to retire loan, Bank of Clarendon; two mills to retire Old District No. 20 bonds; fifty-seven for operating costs; and five mills for general county purposes.

School District No. S-2: A levy of eight mills on all taxable property in the district.

Three mills of the tax hereinabove levied in each district shall be reserved by the Treasurer of Clarendon County for the retirement of the obligations of the Clarendon Memorial Hospital made pursuant to Part II of Act No. 517 of 1961. This levy shall be discontinued when this obligation has been paid in full.

(a) Auditor's Office:

Auditor	\$ 1,500.00
<i>Provided</i> , this amount shall be varied if necessary, to provide a total salary to the Auditor from state and county of \$5,000.00.	
Clerk to Auditor	2,280.00
Extra Clerical Help	400.00
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Total	\$ 4,180.00

(b) Clerk of Court's Office & Probate Judge:

Clerk of Court	\$ 5,000.00
Services as Probate Judge	800.00
Deputy Clerk of Court & Probate Judge	2,520.00
Clerk	2,400.00
Clerk	2,400.00
Clerk—Probate Judge's Office	2,400.00
Record Books, Repairs, Supplies, Furniture, Equipment and Lighting	500.00
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Total	\$ 16,020.00

(c) Coroner's Office:

Coroner	\$ 1,650.00
Coroner, for telephone	60.00
Travel Allowance	120.00
Coroner's Jurors, \$2.00 each to be paid out on warrants of the Coroner	400.00
Expenses of Post Mortems, Inquests and Lunacy	500.00
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Total	\$ 2,730.00

(d) Sheriff's Office:

Sheriff	\$ 5,000.00
Sheriff, Travel Allowance	900.00
Sheriff, Telephone	60.00

Clerk	2,400.00
Chief Deputy Sheriff	4,500.00
Chief Deputy Sheriff, travel	1,100.00
Chief Deputy Sheriff, telephone	60.00
Second Deputy Sheriff	4,500.00
Second Deputy Sheriff, travel	900.00
Second Deputy Sheriff, telephone	60.00
Third Deputy Sheriff	4,500.00
Third Deputy Sheriff, travel	900.00
Third Deputy Sheriff, telephone	60.00
Travel outside county, to be paid on warrants signed by Sheriff	200.00
Fingerprint Supplies, Gun and Ammunition and other necessary police supplies	250.00
Secret Service Fund	200.00
Uniforms, three Deputies, to be expended on claims with invoices attached	450.00
Automobiles and Communication System, Main- tenance, Equipment and Repairs	1,800.00
Jailor	1,200.00
Jail Expenses and Supplies, including dieting of prisoners at \$1.00 per day	4,000.00
Total	\$ 33,040.00

(e) Superintendent of Education's Office :

School District No. 1—for operation and main- tenance of public school system for nine months, if so much be necessary	\$ 40,000.00
School District No. 2—for operation and main- tenance of public school system for nine months, if so much be necessary	83,500.00
School District No. 3—for operation and main- tenance of public school system for nine months, if so much be necessary	33,500.00
Superintendent of Education (to be paid to County Board of Education)	590.00
<i>Provided</i> , this amount shall be varied if neces- sary to provide a total salary to the Superin- tendent of Education from state and county of \$5,000.00.	

Travel Allowance	900.00
Clerk to Board of Education	2,400.00
County Attendance Teacher, travel	1,080.00
School Lunch Supervisor, travel	420.00
Attendance Teacher for books and supplies for needy children	480.00
Distributive Education:	
Travel	150.00
Salary	505.00
Transportation charges, storage on commodities, if so much be necessary, to be expended on the order of the County Board of Education	1,400.00
Travel	900.00
Total	\$165,825.00
(f) Supervisor's Office:	
Supervisor	\$ 5,000.00
Clerk	2,400.00
Roads, bridges and convicts	49,500.00
R. F. D. Routes, for use exclusively upon neighborhood roads and other byroads traversed by R. F. D.	700.00
Repairs to Machinery	6,000.00
Expenses and supplies for making concrete pipe	3,000.00
Total	\$ 66,600.00
(g) Tax Collector's Office:	
Tax Collector	\$ 5,000.00
Travel Allowance	900.00
Clerk	2,400.00
Total	\$ 8,300.00
(h) Treasurer's Office:	
Treasurer	\$ 1,500.00
<i>Provided</i> , this amount shall be varied if neces- sary, to provide a total salary to the Treasurer from state and county of \$5,000.00.	
Assistant to the Treasurer	2,520.00
Extra Clerical Help	340.00
Total	\$ 4,360.00

(i) Magistrates:

Magistrate—Manning	\$ 2,660.00
Telephone	144.00
Magistrate—Summerton	2,370.00
Rent and Telephone	144.00
Magistrate—Salem	1,975.00
Rent and Telephone	144.00
Magistrate—Paxville	1,395.00
Rent and Telephone	144.00
Magistrates' Jurors in criminal cases only \$2.00 per day and stenographer for trials to be ex- pended on warrants of the magistrates.	100.00

(The above salaries in all of the above sections
shall be in lieu of all fees and commissions pro-
vided for county officers, except those provided
by law for Magistrates in civil cases.)

Total\$ 9,076.00

(j) Courthouse:

Public buildings, water, light, telephones, in- cluding telephone in Supervisor's residence, also including insurance on courthouse and jail	\$ 5,000.00
Printing, postage and stationery	3,000.00
Bond premiums	530.00
Workmen's Compensation Insurance	1,000.00
S. C. Retirement—County Officers	3,500.00
Social Security	2,500.00
Jurors and Witnesses	4,000.00
<i>Provided, Jurors shall be paid \$6.00 per day.</i>	
Janitor	1,440.00
Courthouse, Jail, Hospital and Health Center grounds, \$100.00 each to direct purchase of shrubbery only	400.00

Total\$ 21,370.00

(k) County Health and Welfare Work:

Health Department, if so much be necessary ...	\$ 6,443.00
Vital Statistics	400.00
T. B. Association Emergency Services	300.00
Chest Clinic	720.00

County Welfare Department :

Charity Hospitalization	10,000.00
Emergency Fund	500.00
Travel, Child Welfare Worker	780.00
Charity Certification	1,020.00
Clarendon Memorial Hospital	25,000.00
Drugs for T. B. Patients	750.00

Total \$ 45,913.00

(1) County Boards :

Clarendon Memorial Hospital Board	\$ 600.00
County Commissioners, two	720.00
Board of Education (per diem)	720.00
County Board of Education Fund	200.00
Board of Assessors, nine	1,800.00
Board of County Welfare (per diem)	252.00
County Attorney	200.00

Total \$ 4,492.00

(m) Farm and Home Demonstration Agent :

Office Expense—County Agent	\$ 200.00
County Agent, Salary Supplement	1,300.00
Associate County Agent—Salary Supplement ..	500.00
Assistant County Agent—Salary Supplement ..	500.00
Clerk, County Agent—Salary	660.00
Home Demonstration Agent, Salary Supplement ..	360.00
Assistant Home Demonstration Agent, Salary Supplement	360.00
County Short Course, Home Demonstration ..	50.00
Clerk, Part-time, Home Demonstration	600.00
Demonstration Materials, Home Demonstration Agent	50.00
Girls' 4-H Club Work and Women's Work	150.00
Boys' 4-H Club Work	200.00
Negro Boys' 4-H Club Work	100.00
Negro Girls' 4-H Club Work and Supplies	150.00
Negro Home Demonstration Agent—Part Salary ..	1,328.00
Telephone and Office Expenses, Negro Agents ..	100.00
Clerical Help, Negro Agricultural and Negro Home Agents	600.00

Negro Home Agent Demonstration Supplies ..	25.00
Total	\$ 7,233.00
(n) Miscellaneous:	
Miscellaneous Contingent Fund	\$ 3,500.00
Manning Public Library, Countywide use	1,200.00
National Guard Co., Maintenance Fund	1,200.00
Circuit Judge, office expense	500.00
Game Warden, Travel	900.00
Game Wardens, Travel, 4 @ \$360.00 each	1,440.00
Patrolman, Telephone	360.00
Soil Conservation	1,000.00
To be spent on projects recommended by Clarendon Soil Conservation District and ap- proved by the Delegation.	
Forest Fire Warden	1,500.00
County Service Officer, salary	321.00
Total	\$ 11,921.00
GRAND TOTAL	\$401,060.00
Less Estimated Revenue other than Property Taxes:	
Income Tax	\$ 63,000.00
Gasoline Tax	82,000.00
Alcohol Liquor Tax	25,000.00
Beer and Wine Tax	6,500.00
Bank Tax	1,500.00
Insurance Licenses	8,000.00
Property and Road Tax	202,000.00
Fines, Licenses and Fees:	
Auditor	140.00
Clerk of Court	15,000.00
Tax Collector	8,300.00
Sheriff	1,200.00
Magistrates	36,500.00
Miscellaneous	10,000.00
Total	\$459,140.00
Excess of Revenue over Appropriations	\$ 58,080.00

SECTION 2. All moneys which may hereafter come into the hands of the treasurer whether the same be from the tax levied herein or from other sources shall be deposited in the general fund of the county for the payment of the sums appropriated herein; *provided*, that the tax levied in School District No. 2 and School District No. 3 for the retirement of debts or bonds shall be kept in a separate fund.

SECTION 3. Expenditures from Item (k), Charity Hospitalization Appropriations, shall be made by the county treasurer upon orders or warrants in such forms as may be prescribed by him issued and signed in behalf of the county board of public welfare, for charity hospitalization and contributions toward the funeral expenses of such needy residents of the county whose financial circumstances and the ability of whose relatives to pay the same have been fully investigated and determined by the board of public welfare.

SECTION 4. All appropriations herein made are subject to the right and authority of the Clarendon County Delegation to change, alter, increase or deduct therefrom at any time without notice, when in its judgment such change, alteration, increase or deduction is necessary for the best interest of the county or to conform with the revenue expected during the life of this act. This act is intended and is construed to make appropriations for the operation and activities of Clarendon County for the period beginning July 1, 1962, and ending June 30, 1963.

Balances from appropriations in former years, unexpended on August 1, 1962, shall terminate and end as of that date. The supervisor shall not spend or contract to spend in excess of any amount appropriated for any item, and he shall keep accurate records and books of account of all expenditures and contracts for expenditures in accordance with the classification and items as they appear in this act. The supervisor and treasurer are hereby authorized to borrow money in anticipation of collection of revenues to be expended under this act, not to exceed twenty thousand dollars for ordinary county purposes; and for any sum or sums so borrowed and interest thereon, not to exceed four per cent per annum, the officers shall issue the promissory note or notes of the county therefor and as a security for the payment thereof pledge the aforementioned revenues, and former years' (uncollected) property taxes and any and all other county revenues, and the full faith and credit of the county.

SECTION 5. The County Treasurer of Clarendon County, upon the unanimous written request of the school trustees of any school

district in the county, endorsed by the superintendent of education of the county and approved by the Clarendon County Legislative Delegation, is hereby authorized and empowered, in anticipation of taxes for the year 1962 and also in anticipation of the collection of uncollected taxes for prior years, to borrow for ordinary school purposes in such school district an amount not exceeding eighty per cent of the amount that will be raised by the tax levy for the year 1962 and the amount due on account of uncollected taxes, at a rate of interest not to exceed four per cent, and issue the promissory note or other obligation of the county therefor, and as security for the payment of the loan or loans to pledge the taxes to be collected for such school district for the year; *provided*, that the proceeds arising from the authority herein given shall be used solely for the payment of ordinary school expenses in keeping schools open in the respective school districts in the county until the schools can realize from the collection of taxes.

SECTION 6. Any note or obligation given for an amount exceeding the total authorization herein shall be null and void unless authorized in writing by the Clarendon County Legislative Delegation in the General Assembly. No county officer charged with disbursing the funds herein provided shall expend or contract to spend under any general item any sum greater than the amount for each general item being appropriated, without the written consent of the Clarendon County Legislative Delegation. Any violation of the provisions herein is hereby declared a malfeasance in office and such officer shall be subject to removal by the Governor upon the recommendation of the delegation. He shall be liable on his official bond for all such sums expended or contracted to be spent in excess of the appropriation without first getting the written consent of the delegation as hereinabove provided.

SECTION 7. All purchases of property or supplies of any kind ordinarily purchased within the county, for the use of the county of the value of two hundred dollars or more, shall be made only after ten days' notice inviting bids, the notice being posted on the bulletin board in front of the courthouse door, and all bids received pursuant to such notice shall be considered and acted upon by the board of county commissioners in open meeting. All printing, postage and stationery shall be first approved by the county board of commissioners before purchases or obligations are made.

SECTION 8. The county treasurer is hereby charged with the additional duty of keeping a record of all disbursements in accordance with the classification and items of the appropriations herein made; and the county supervisor shall enter upon each check or warrant drawn by him the name of the fund or appropriation against which it is drawn and by such entry the treasurer shall charge the expenditure upon his records.

SECTION 9. The county treasurer shall set up and keep sufficient books and records, in addition to such now kept or required by law, to fully comply with the foregoing section; and he shall refuse payment of any check or warrant in excess of the appropriation against which it is drawn; and not later than the tenth day of each calendar month thereafter he shall prepare a statement of the total amount paid out upon the various appropriation items, except salaries and other fixed lump sum appropriations, copies of which statement he shall deliver or mail to the supervisor, each member of the county board of commissioners and to each member of the county legislative delegation, and such statement shall include a statement of the cash balance of ordinary county funds in hand and the amounts invested stated separately.

SECTION 10. In the event that any appropriation item is exhausted before the end of the fiscal year covered by this act, and in the opinion of the county board or county legislative delegation, additional funds are necessary for such purposes, the necessity and the grounds therefor may be presented to the county legislative delegation and the members thereof may authorize additional expenditures, and the written direction of said delegation will authorize the county treasurer to pay such excess amounts out of any available funds in his hand.

SECTION 11. Whenever it appears to the county board that a purchaser at a tax sale received nothing for his bid, because of double entries or other errors in the county records, they may refund the amount paid on account of such bids by approving a claim therefor against the county which may be paid from collections from forfeited lands or from the appropriation herein for contingent expenses, but nothing herein shall be construed as a warrant or representation by the county of the validity of any title acquired at tax sale now or hereafter.

SECTION 12. An audit of the office and records or any part thereof of the county may be had at any time in the fiscal year 1962-1963 by the county legislative delegation and the expenses therefor paid on their written order to the supervisor and treasurer from any available funds in the hands of the latter.

SECTION 13. The auditor and treasurer of the county shall complete the necessary work in their respective offices in order to open the treasurer's books for the collection of the 1962 state and county taxes on September 1, 1962, and the collection of the taxes shall begin on that date.

SECTION 14. No person, firm or corporation (except recipients from charity appropriation and except witnesses and jurors paid by the county) shall be paid any monies herein appropriated unless he or it shall first pay in full any and all outstanding tax executions against him or it or his or its property; *provided*, that such tax execution may be in monthly installments satisfactory to the tax collector. The board of county commissioners shall be responsible upon their respective official bonds for any violation hereof as for any other failure in the performance of their duties.

SECTION 15. The Towns of Manning, Summerton, Turbeville and Paxville may use the county jail for the confinement of their prisoners but shall be required to pay to the county the sum of one dollar per prisoner per day, which sum shall be remitted to the county board of commissioners monthly by the Towns of Manning, Summerton, Turbeville and Paxville, together with the statement of the jailor of the names of the prisoners and the days each was confined.

SECTION 16. The county board of education shall appoint a qualified auditor annually for each of the school districts in Clarendon County, which audit shall be filed with the clerk of court. The trustees of each district shall make an agreement with the auditor so appointed as to the cost prior to commencement of the work and should they fail to agree then the county board shall fix his compensation and in this event the county delegation may provide by written order for the payment of the same.

SECTION 17. All appropriations herein for the operation of the public school system shall cease and become inoperative for the time that any pupil or pupils shall by order of any court attend a school

other than that which he or she is now attending or may be assigned by local board of trustees or other governing body of such school. This provision shall not in any way affect the operation of any school other than the schools affected by such court order.

SECTION 18. The forest fire warden provided herein shall be appointed by the Governor upon the written recommendation of a majority of the Clarendon County Forestry Board and shall discharge such duties as said board shall impose upon him from October fifteenth each year to the following March fifteenth. The appointment hereunder shall be for a term of two years. The forest fire warden provided for herein may be removed by the Governor upon the request of a majority of the Clarendon County Forestry Board to that effect. The forest fire warden shall have the same power as the deputy sheriffs.

PART II

PERMANENT PROVISIONS

SECTION 1. Whenever any incorporated municipality in Clarendon County shall furnish to the Clarendon County Board of Commissioners evidence that said municipality is equipped and organized to furnish fire protection to the rural area within the school district in which the municipality is situate, except in the case of Paxville which shall furnish evidence that it is organized and equipped to furnish fire protection to the rural area comprising the Paxville Precinct, then said Board of Commissioners shall pay, subject to the final approval of the Clarendon County Delegation, to each fire department the sum of five hundred dollars.

SECTION 2. The Board of Trustees of School District No. 3 of Clarendon County are hereby authorized to borrow from the Bank of Clarendon, Manning, South Carolina, a sum not to exceed seventy-two thousand dollars and to execute and deliver to the Bank of Clarendon notes of the school district to provide for the repayment of the loan over a period not to exceed ten years and at an interest rate not to exceed three and one-half per cent. Sufficient millage on the taxable property in School District No. 3 shall be levied and collected for the retirement of this obligation.

END OF PART II

This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R689, H2025)

No. 1074

An Act To Create The Walterboro Stadium Authority In Colleton County; To Define Its Powers And Duties; To Authorize It To Borrow Funds; To Provide For The Repayment Thereof; And To Provide For The Conveyance Of Certain Lands To The Authority And By The Authority.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Walterboro Stadium Authority created—members—appointments—terms.—There is hereby created the Walterboro Stadium Authority in Colleton County, hereafter referred to as the Authority, which shall be composed of eight members to be appointed by the Colleton County Legislative Delegation. The terms of office of the members of the Authority shall be for four years or until their successors are appointed and qualify. Any vacancy shall be filled by appointment by the Colleton County Legislative Delegation for the unexpired portion of the term. H. S. Price, J. Edwin Hiott, William Turner, Leon Gelson, Auburn J. Bridge, John B. Harkey, Donald C. Lyons and Isaiah Crosby shall be the members first appointed.

SECTION 2. Lands to be conveyed to.—The Colleton County Board of Education shall convey to the Authority the thirteen acre lot of land in Walterboro known as the old fair grounds site.

SECTION 3. Authority may borrow money to erect stadium.—The Authority may erect a stadium on such thirteen acres and may borrow funds not to exceed twenty-five thousand dollars to be used for the purpose of erecting the stadium, the payment of which may be secured by a mortgage on the property and the pledge of money obtained from the rentals of the stadium.

SECTION 4. Powers and duties of Authority.—The Authority shall have complete control of the stadium and may enter into contracts for the rental of the stadium and shall have complete charge of all money derived from the rental of the stadium. It may make such needed improvements on the stadium as may be deemed necessary within its financial limitations.

SECTION 5. Land to be reconveyed upon payment of loan.—The Authority shall reconvey to the Colleton County Board of Education the thirteen acres herein referred to with all improvements thereon, upon satisfaction of the loan herein authorized.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R1244, H2662)

No. 1075

An Act To Provide For The Levy Of Taxes For County And School Purposes For Colleton County For The Year Beginning January 1, 1962, And The Expenditure Thereof During The Fiscal Year July 1, 1962 To June 30, 1963, And Pertaining To The Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax sufficient to pay appropriations hereinafter made for the fiscal year 1962-1963 is hereby levied upon all the taxable property in Colleton County for county and school purposes for the calendar year commencing January 1, 1962, for the amounts and purposes hereinafter set forth.

Item 1. (a) Roads, bridges, convicts' maintenance, gang, equipment and material, purchase of concrete pipe, repairs, parts, tires and machinery, and including salary increases for road employees	\$ 76,175.00
(b) Payment on road machinery note	10,000.00
(c) Interest on machinery notes	400.00
(d) Purchase new machinery	15,386.34
(e) Repairs and maintenance on public landings ...	1,250.00
Total, Item 1	\$103,211.34

Item 2. Salaries, mileage and expenses:

(a) Clerk of Court	\$ 5,200.00
Deputy Clerk of Court	3,000.00
Clerical Assistance	2,700.00
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	10,900.00

(b) Sheriff	5,500.00
Deputies, three at \$3,900.00 each	11,700.00
Clerk to Sheriff	2,700.00
Expenses for Sheriff and all Deputies for actual travel while conveying prisoners and serving legal process	8,400.00
Expense of Sheriff and Deputies on official business other than above	300.00
Teletype paper for teletypewriter	100.00
Radio Maintenance and Service at Jail	400.00
Care and Maintenance Bloodhounds	200.00
Maintenance and Operation County Boat	350.00
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	29,650.00
(c) Treasurer (County's portion)	3,146.25
Clerk to Treasurer	2,700.00
For postage, materials and expenses of Treasurer in sending notices to taxpayers	800.00
Extra Clerical Help for Treasurer	1,350.00
	<hr/>
	7,996.25
(d) Auditor, salary and travel (County's portion) .	3,146.25
Clerk to Auditor	2,700.00
Extra Clerical Help to Auditor	1,350.00
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	7,196.25
(e) Delinquent Tax Collector, salary	2,600.00
Delinquent Tax Collector, travel	1,800.00
Clerk to Delinquent Tax Collector	2,250.00
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	6,650.00
<i>Provided, the Delinquent Tax Collector shall also receive one dollar for each tax execution collected by him, payable by the County Treasurer from tax execution costs collected by the Delinquent Tax Collector.</i>	
(f) Coroner	1,091.20
Travel	600.00
	<hr/>
	1,691.20

(g) Supervisor	5,200.00
Expenses of Supervisor for travel	1,200.00
Contingent Fund	2,000.00
Two County Commissioners at \$61.60 per month each	1,478.40
Travel for two County Commissioners	300.00
For Clerk to Supervisor	2,700.00
Extra Clerk, as needed, on a per diem basis but not to exceed	1,800.00
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	14,678.40
(h) Attorney for County	600.00
	<hr/>
	600.00
(i) Judge of Probate	3,900.00
Deputy Judge of Probate or Clerk	3,000.00
For use of Probate Judge in child placing work to give temporary relief pending children being permanently placed, to be disbursed on his claims	300.00
Purchase Guardianship Letters, Bond, and Return Book	375.00
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	7,575.00
(j) Expert to Grand Jury	100.00
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	100.00
(k) Magistrates, seven at \$456.00 each	3,192.00
Expense accounts to be paid in 4 equal quarterly installments without statements of \$144.00 each	1,008.00
One at Walterboro	2,422.00
One at Green Pond	900.00
Expense account to be paid in 4 equal quarterly installments of \$36.00	144.00
File for Walterboro Magistrate	100.00
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	7,766.00
(l) Constables, five at \$379.00	1,895.00
Two at Walterboro, including mileage	2,400.00
One at Warren Township	625.00
One at Canadys	515.00

One at Sheridan and Glover Townships	515.00
Expenses for Constables for conveying prisoners by the most practicable routes of travel at the rate of seven cents per mile each way, and no constructive mileage to be charged	375.00

 6,325.00

Provided, that constables shall receive for service of civil process from the party instituting an action mileage charges at the rate of seven cents per mile which charges shall be retained by said constable and shall be collected by said constable prior to service of process. *Provided*, further, that in no event shall the mileage charges be less than twenty-five cents.

(m) County Boards:

Board of Equalization, to be expended on vouchers of County Auditor	828.00
Board of Registration	1,366.00
Development Board	7,500.00

 9,694.00

(n) Janitors (4) for all public buildings including library, to be employed, work assigned and salaries fixed by county supervisor	5,100.00
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 5,100.00

 Total, Item 2 \$115,922.10

Item 3. Jail Expenses, including dieting of prisoners, fuel, etc. \$	7,000.00
Jailer, extra compensation to be paid in monthly installments	759.00

Provided, the jailer may make contracts with municipalities in Colleton County to diet prisoners. *Provided*, further, that municipalities making such contracts shall pay 25¢ per day per prisoner to the County Supervisor for County

General Fund purposes for jail building maintenance, said sums to be accounted quarterly.

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	Total, Item 3	\$	7,759.00
Item 4.	Court Expenses, Jurors and Witnesses		5,000.00
	Civil and Criminal Court, Judge's Salary		3,600.00
	Court Reporter, upon Court Order		600.00
	<i>Provided, Grand and Petit Jurors and Bailiffs shall be paid five dollars per day for every day in attendance upon court and mileage as provided by law.</i>		
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	Total, Item 4	\$	9,200.00
Item 5.	Emergency Assistance Fund, to be expended by County Department of Public Welfare under rules and regulations made by the County Board of Public Welfare		
		\$	3,000.00
	To be paid by Supervisor as needed by proper voucher of Department of Public Welfare.		
	Telephone, Department of Public Welfare		95.00
	<i>Provided, not exceeding fifty dollars shall be paid for each pauper funeral.</i>		
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	Total, Item 5	\$	3,095.00
Item 6.	Post Mortems, Inquests and Lunacies	\$	1,100.00
		<hr/>	
	Total, Item 6	\$	1,100.00
Item 7.	Bond Premiums for public officials	\$	1,500.00
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	Total, Item 7	\$	1,500.00
Item 8.	Public Buildings, including water, fuel, lights and insurance		
		\$	9,000.00
	For caretaker for Courthouse and Jail grounds		132.00
	<i>Provided, the Supervisor shall furnish fertilizer and labor for maintaining shrubbery and flowers. Provided, further, that the Supervisor may use the rents to be collected for the use of public buildings to supplement the funds herein appropriated for public buildings.</i>		

Maintenance Man	2,700.00
Total, Item 8	\$ 11,832.00
Item 9. (a) Printing, postage, books, stationery, including Magistrates' blanks	\$ 7,700.00
(b) Publication of Supervisor's Reports	550.00
(c) For publishing notices of tax sales, if so much be necessary	400.00
<i>Provided</i> , the Delinquent Tax Collector shall add to the cost of each tax sale the cost of publication and collect the same from each tax sale for the General Fund of the County.	
Total, Item 9	\$ 8,650.00
Item 10. Health:	
(a) Vital Statistics	\$ 480.00
(b) County Health Department (including rabies control \$500.00), but not including Health Officer's salary	16,086.00
<i>Provided</i> , the above amount shall be expended under a budget prepared by the Health Department and approved by the delegation, and shall be paid in twelve equal monthly installments upon voucher of County Health Department.	
(c) Colleton T. B. Association, upon voucher signed by president and executive secretary of the association for T. B. Patients	500.00
Total, Item 10	\$ 17,066.00
Item 11. Club Work and Demonstration Expenses:	
(a) Boys' 4-H Club activities, including camp and supplies for county agent's office	\$ 400.00
(b) Women's and girls' short courses, Winthrop trip and prizes for women	300.00
(c) Miscellaneous for Home Demonstration Agent's office	150.00
(d) Supplement, Farm Agent's salary	528.00
(e) Supplement, Associate Farm Agent's salary ..	300.00
(f) Supplement, Farm Agent's Stenographer, salary ..	396.00

(g) Supplement, Home Agent's Stenographer,		
salary		198.00
(h) Future Farmers of America		50.00
(i) For prizes, Livestock Show at Walterboro, to		
be expended by Colleton County FFA Federation		500.00
(j) 4-H Livestock Show		250.00
(k) For Negro Farm and Home Demonstration		
Work and for 4-H activities, to be expended		
under direction of County Agent, including		
Livestock Show		2,842.00
(l) Telephone and extension—Home Agent's office		111.14
(m) Telephone—Negro Agent's office		129.84
Total, Item 11		\$ 6,154.98
Item 12. Workmen's Compensation, Retirement and So-		
cial Security:		
(a) Workmen's Compensation Insurance	\$	3,200.00
(b) Employer's portion, Retirement of county em-		
ployees		6,500.00
(c) Employer's portion, Social Security on county		
employees		5,500.00
Total, Item 12		\$ 15,200.00
Item 13. Tax Refunds:		
J. Mitchell Witsell, III	\$	10.80
W. J. Hyatt		12.00
John F. Branham		6.88
Doris B. Amaker		4.48
Heirs of Harry Richards		2.52
William Brown, Jr.		20.00
Leon Gelson		11.20
Johnnie R. Ryan		4.48
Lonnie C. Breland, Jr.		1.00
Jesse Chisolm		2.00
C. W. Bishop		7.00
Johnnie J. Summers		1.00
H. L. Ackerman		36.96
Phoebie Wiggins		2.52
Annie Bell Henderson		2.52

Virginia Funchess	2.52
Hattie Bell Coles	2.88
Warren Smith and Clara S. Hathaway	21.60
Jessie H. Rowe	1.92
Henry Joe Washington	4.00

Total, Item 13\$ 158.28

Item 14. Colleton County Memorial Library:

Four Assistant Librarians	\$ 8,760.00
Junior Intern	200.00
Bookmobile Expenses	1,000.00
Books	4,000.00
Supplies	500.00
Conference and Workshop Expenses	200.00

14,660.00

Less Expected Revenue:

Town of Walterboro	900.00	
State of South Carolina	1,500.00	2,400.00

Total, Item 14\$ 12,260.00

Item 15. Miscellaneous:

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| (a) County Civil Defense to be expended upon
voucher of Chairman Colleton County Civil
Defense | \$ 300.00 |
| (b) Annual Audit | 1,500.00 |
| (c) Company Maintenance Fund, National Guard
Unit | 750.00 |
| (d) Supplemental Salary, Director of Public Wel-
fare | 396.00 |
| (e) Historical Society | 250.00 |
| (f) Colleton Soil Conservation District—Special
Services | 1,000.00 |

Total, Item 15\$ 4,196.00

Item 16. Schools:

County's portion of support of public schools ..	\$465,000.00
Less Estimated State, Federal and miscellaneous aid	165,000.00

Net appropriations to be raised by property tax for schools	300,000.00
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GRAND TOTAL	\$617,304.70
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Less Estimated Revenue, other than from property taxes:

Gasoline Tax	\$115,000.00
Commutation Road Tax	5,000.00
Fines, Licenses, Fees	40,000.00
State Insurance Tax	13,000.00
Receipts from Beer, Wine and Alcoholic Beverages	30,000.00
Bank Tax	2,800.00
Portion of Income Tax from State 1962-63 and unallocated portion for fiscal year 1961-1962 ..	50,000.00
Credit on Hospital Operation	13,904.00
Estimated transfer of Delinquent Taxes per Section 3, paragraph 2	18,000.00
Transfer of County Funds	14,000.00

Total Estimated Revenue	\$301,704.00
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Amount to be raised by property taxation for general purposes and schools	\$315,600.70
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SECTION 2. The county treasurer, after applying all current cash revenues, is hereby authorized and empowered to pay from the special reserve or surplus fund any items of the appropriations made in Section 1 hereof which may be expended before the collection of taxes for the year 1962, and before other current revenues shall accrue in sufficient amount to pay such appropriations; but the county treasurer, when taxes are collected and current revenues are received sufficient for such purposes, shall reimburse the special reserve or surplus fund for any monies expended therefrom for the purpose of paying such appropriations.

SECTION 3. The county auditor shall determine the amount of tax levy necessary to pay the appropriations hereinabove made and for debt service and shall use same in preparing the tax books for Colleton County.

All provisions of law requiring monies derived from the collection of delinquent taxes to be paid into the Special Reserve Fund of the county are hereby suspended in so far as they relate to the funds to be derived from the collection of delinquent taxes for the tax year of 1961, and the county treasurer shall apply to the appropriations provided for in this act all delinquent taxes to be collected for the tax year 1961 as they are received by the County Treasurer. This provision shall apply only to the delinquent taxes for the year 1961, and hereafter all provisions of law pertaining to the disposition of monies obtained from the collection of delinquent taxes shall apply.

SECTION 4. If any of the items, or portions thereof, for which funds are herein appropriated should be assumed by the State and appropriations therefor be made by the State, or if the same shall become available in any other manner, then the amounts for such purposes herein appropriated shall be paid to the special reserve fund in the amount herein appropriated if the State appropriations or other available funds be sufficient for that amount, and, if the State appropriations or other available funds should not be sufficient, then only so much of the funds herein appropriated as may be necessary shall be used with the balance to be paid to the special reserve fund.

SECTION 5. All funds received by the county from whatever source realized above the amount necessary to pay the appropriations hereinabove made, all unused amounts of appropriations for previous fiscal years and the proceeds of all delinquent tax collections for prior years not otherwise pledged shall be transferred by the treasurer to the special reserve fund as now provided by law. *Provided*, that any excess of funds appropriated for county's portion of support of schools for the fiscal year 1961-62 shall be carried forward and applied to the county's portion of support of schools for the fiscal year 1962-1963 in addition to the amount herein appropriated.

SECTION 6. The county supervisor is authorized and directed to call to his assistance in maintaining the courthouse and other public grounds the Campbell Ashley Garden Club, and to furnish plants, fertilizer and labor for the beautification of the grounds.

SECTION 7. The county supervisor is hereby authorized to grant up to ten days annual leave with pay to county employees and up to ten days annual sick leave with pay provided the employee is under a doctor's care.

SECTION 8. All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R924, H2471)

No. 1076

An Act To Authorize And Empower The Board Of Trustees Of The School District Of Darlington County To Issue General Obligation Bonds Of The District Within The Applicable Constitutional Debt Limit Of The District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by action heretofore taken and effective as of December 1, 1951, all then existing school districts in Darlington County were consolidated into a single school district whose area and boundaries are coextensive with the area and boundaries of Darlington County, and which school district is known as The School District of Darlington County. Hereafter in this act this school district is sometimes referred to as "the school district". The school district functions under the direction of a board of trustees established by the provisions of Act No. 359 of 1955, hereafter called "the board".

The General Assembly further finds that surveys of the physical facilities of the public school system of the school district have been made by the board. Such surveys establish that there is a need for a substantial number of additional class rooms and other related school facilities, and that a program looking to the fulfillment of all needs of the school district might require a considerable period of time. The General Assembly takes note of the fact that the applicable con-

stitutional limitation controlling the bonded debt of the school district is eight per cent, but it further notes that the existing bonded indebtedness of the school district is being reduced in substantial amounts in each year. It has, therefore, determined to permit the board to acquire public school facilities in the school district during the period of the next several years, and in order to provide a means of defraying the costs of such program, to give the board continuing authority to issue bonds without an election, at any time prior to December 31, 1966, to the extent that, on the occasion when any of such bonds are issued, the bonded debt then to exist will not exceed the eight per cent debt limitation applicable to the school district.

SECTION 2. Additional school facilities may be acquired—bond issue authorized.—The board is hereby authorized and empowered to provide such additional public school facilities as it shall deem necessary and to repair, enlarge, and improve the existing facilities. It is hereby further empowered to acquire land for school purposes and to acquire all equipment that it may deem needed for existing or new facilities. In order to raise moneys to provide such additional public school facilities for the school district, the board is hereby authorized and empowered to issue and sell general obligation bonds of the school district (without the necessity of holding any election), on such occasions prior to December 31, 1966, and to such extent as the board shall approve, provided that no bonds of the school district shall be issued, if on the particular occasion that the bonds are issued the applicable constitutional debt limitation shall be exceeded.

SECTION 3. Issues—maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the board shall provide for, except that the first maturing bonds of any issue shall mature within four years from the date as of which they shall be issued; not less than three per cent of any issue shall mature in each year; and no bond shall mature later than twenty years from the date as of which it shall be issued.

SECTION 4. Redemption—dates.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice

thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Registration.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Darlington County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Place of payment.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 8. Execution.—The bonds and the coupons to be thereunto attached, shall be executed in such manner as the board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Darlington County, and collected by the Treasurer of Darlington County, in the same manner as county taxes are levied and collected, on all taxable property in the school district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 12. Use of proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Darlington County, to be deposited in a bond account fund for the school district, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(i) To defray the costs of issuing the bonds authorized by this act;

(ii) To provide for additional public school facilities for the school district in the manner contemplated by Section 2 of this act.

(d) If, after the final completion of the board's program, the board shall certify to the Treasurer of Darlington County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. Powers—further.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Powers—further.—Subsequent to December 31, 1966 all powers to issue bonds by the board under any general law then existing shall be restored.

SECTION 16. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R971, H2499)

No. 1077

An Act To Authorize The Commission Of Darlington County And The Governing Board Of Florence County To Lease The Facilities Of The Florence-Darlington Tuberculosis Sanatorium Under Certain Conditions; To Provide For The Transfer Of Monies Held By The Governing Body Of The Sanatorium; And To Provide For The Transfer Of Powers And Duties Of The Governing Body Of The Sanatorium To The Commission Of Darlington County And The Governing Board Of Florence County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Darlington and Florence Counties may lease Florence-Darlington Tuberculosis Sanatorium.—The Commission of Darlington County and the Florence County Governing Board are hereby authorized by majority vote of each in joint meeting to lease the Florence-Darlington Tuberculosis Sanatorium for terms not to exceed five years each upon such conditions and regulations as they may deem appropriate, to any agency of the State or to any eleemosynary corporation, for use only as a chronic convalescent hospital, a crippled or retarded children's hospital, or a mental health facility. *Provided*, that no lease may be made for use of the facilities for general hospital purpose as defined in the Hill-Burton Act nor shall such facilities be so used by any lessee.

SECTION 2. Payment—powers—duties.—Upon the execution of any such lease the Governing Body of the Florence-Darlington Sanatorium shall pay over to the Commission of Darlington County and to the Governing Board of Florence County all monies on hand at that time on the basis of sixty per cent to Florence County, and forty per cent to Darlington County. *Provided*, that upon the execution of any such lease all powers and duties now vested in the Governing Body of the Sanatorium shall vest in the Commission of Darlington County and the Governing Board of Florence County, and the Governing Body of the Sanatorium shall cease to exist.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R1143, H2631)

No. 1078**An Act To appropriate A Sum Of Money For Educational Purposes In Darlington County For The Fiscal Year 1962-63; For The Expenditure Thereof; And To Provide For The Levy Of A Tax Sufficient To Pay The Sum Appropriated Herein.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The sum of twenty-one thousand ninety dollars is hereby appropriated from the general fund of Darlington County for educational purposes for the County for the fiscal year 1962-63. The sum shall be expended for the following purposes:

Item 1. Travel Expenses, County Superintendent of Education	\$ 700.00
Item 2. Bookkeeper and Secretary	3,300.00
Item 3. Stenographer	3,000.00
Item 4. Stenographer	2,800.00
Item 5. Office Supplies and Equipment	1,400.00
Item 6. Travel for Visiting Teacher	700.00
Item 7. Salary, Superintendent of Education	4,020.00
Item 8. Board of Education, 7 members @ \$ 25.00 each per month	2,100.00
Item 9. Board of Trustees, 9 members @ \$180.00 per year and 1 Secretary \$250.00 per year. Stamps, etc. \$100.00	1,970.00
Item 10. School Lunch Office—Trucking Produce	900.00
School Lunch Secretary	200.00
Total	\$ 21,090.00

The auditor shall levy, and the treasurer shall collect, a tax on all taxable property of the county sufficient to pay the appropriation provided for herein.

SECTION 2. The Board of Trustees of Darlington County School District shall, before July of 1962, file with the county board of education a proposed budget for each school in the county for the 1962-63 fiscal year. The budget shall itemize proposed expenditures and propose the necessary current levy to cover these expenditures. The county board of education shall examine all budgets and its approval shall constitute the authority and direction to the county auditor to levy the tax provided for in Section 1.

SECTION 3. This act is supplementary to the general appropriations act of Darlington County which will be in effect for the 1962-63 fiscal year and the permanent school levies for Darlington County, and shall in no respect be considered as a repeal of them or any part thereof.

SECTION 4. The funds herein appropriated shall be expended by the county treasurer in the usual way, but upon request of the superintendent of education, or the chairman of the county board of education.

SECTION 5. The county board of education may supplement salaries or expenses of the superintendent of education or other office employees out of any funds in their hands that can legally be expended for such purposes.

SECTION 6. All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1180, H2742)

No. 1079

An Act To Authorize The County Treasurer Of Darlington County To Issue Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of Darlington County; To Prescribe The Purposes For Which The Bonds Shall Be Issued And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by legislation enacted in pari materia, there has been created the Darlington County Commission for Technical Education in order that Darlington County may cooperate with the program instituted by Section 23 of Act No. 323 of the Acts of 1961 to promote a program of vocational and technical education in the State. The General Assembly further found that there is an immediate need that such program be instituted promptly in Darlington County. Under the provisions of the State program it

is required that cooperating counties furnish the physical facilities necessary to implement the program, and thereafter supervise and maintain it. Surveys conducted indicate that a suitable building, or buildings, with appropriate facilities and equipment, located in a convenient place, are necessary before the State program can begin to function in Darlington County. The General Assembly has, therefore, determined to empower the County Treasurer of Darlington County, hereinafter referred to as the treasurer, to issue general obligation bonds of Darlington County to the extent herein provided, in order to provide the Darlington County Commission for Technical Education with the funds required for the construction and equipping of suitable facilities. In so determining the General Assembly has found that the basic purpose of the program is to educate, in technical and vocational fields, those to whom the program will become available, and that the purpose of the expenditure is educational and is therefore one which counties are authorized to undertake pursuant to Section 6 of Article X of the Constitution of South Carolina.

SECTION 2. Darlington County may issue bonds for technical training program.—In order to provide funds to be expended by the Darlington County Commission for Technical Education for the acquisition of a suitable site and the construction and equipping thereon of appropriate facilities, the treasurer is hereby authorized and empowered to issue and sell general obligation bonds of Darlington County in an aggregate principal amount not exceeding two hundred thousand dollars.

SECTION 3. Issue.—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

SECTION 4. Maturity.—The bonds shall mature in such annual series or instalments as the treasurer shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

SECTION 5. Redemption—notice.—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the treasurer, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of

the bonds, specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form—registration.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Darlington County, upon such conditions as the Treasurer may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Place of payment.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Treasurer and buyer shall agree.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the treasurer.

SECTION 9. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the treasurer shall prescribe.

SECTION 10. Sale—notice.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Darlington County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Darlington County, and collected by the Treasurer of Darlington County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in Darlington County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 13. Use of proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Darlington County, and shall be deposited in a Bond Account Fund, and shall be expended and made use of as follows:

- (a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.
- (b) Any premium shall be applied to the payment of the first installment of principal of such bonds.
- (c) The remaining proceeds shall be expended on the warrant of the Darlington County Commission for Technical Education, to defray the cost of issuing the bonds authorized hereby, and to pay for costs incurred in the acquisition, construction and equipping of facilities of the sort described in Section 1 of this act.
- (d) If any balance remain, it shall be held by the Treasurer of Darlington County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 14. Powers.—The powers and authorizations hereby conferred upon the treasurer shall be in addition to all other powers and authorizations previously vested in the treasurer.

SECTION 15. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R815, S563)

No. 1080

An Act To Amend Act No. 527 Of The Acts Of 1961 Authorizing The Borrowing Of Three Hundred Thousand Dollars For School Purposes In Dillon County, So As To Increase The Authorization To Three Hundred Sixty Thousand Dollars.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 527 of 1961 amended—Dillon County School District 2 may borrow money.—Section 1 of Act No. 527 of the Acts of 1961 is amended by inserting between the

words "hundred" and "thousand" on line three the word "sixty", so that the section when amended shall read as follows:

"Section 1. The Board of Trustees of School District No. 2 in Dillon County and the Treasurer of Dillon County are authorized to borrow for school purposes not exceeding three hundred sixty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Trustees and the Treasurer of Dillon County. The note or notes shall bear interest at the rate of four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1962.

(R886, H2134)

No. 1081

An Act Providing For The Creation Of Watershed Conservation Districts In Dillon County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definition.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Dillon Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Dillon County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Dillon County.—Authority is hereby granted to form watershed conservation districts within Dillon County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed con-

servation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the appropriate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there

is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of Dillon County.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For creation of _____ Watershed Conservation District”

“Against creation of _____ Watershed Conservation District”

A square shall follow each proposition. The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided, however*, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Dillon County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petition — election — ballots — terms — officers — bond of treasurer.—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a

watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, under the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body — powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmentad subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject

to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.—

(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

proposal, the directors shall, with the approval of the supervisors, be

(4) If two-thirds of the votes cast in such referendum favor the authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Dillon County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by

the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Dillon County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition of discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the _____ Watershed Conservation District" and "Against terminating the existence of the _____ Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The Supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Dillon County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Dillon Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Dillon County.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R1218, H2616)

No. 1082

An Act To Authorize A Refund To The Hamer Spinning Mills In Dillon County, South Carolina, For The Sum Of One Thousand Eighteen Dollars And Fifty Cents Representing An Overpayment Of Taxes For The Year 1961.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dillon County to refund certain monies to Hamer Spinning Mills.—The Treasurer of Dillon County is hereby authorized to pay to the Hamer Spinning Mills in Dillon County the sum of one thousand eighteen dollars and fifty cents from the general fund of Dillon County which is a refund for an overpayment of taxes paid the county by the Hamer Spinning Mills for the year 1961.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1232, H2657)

No. 1083

An Act To Make Supplemental Appropriations For The Fiscal Year 1961-1962 From The General Fund Of Dillon County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations for the fiscal year 1961-1962 are made from the general fund of Dillon County:

	<i>Estimated Additional Amounts Needed</i>
Printing, Postage, Stationery	\$ 1,000.00
Public Buildings	7,000.00
Retirement, County Officials	1,200.00
Social Security, County Officials	2,200.00
Street Lights	325.00
Emergency Casket	750.00
F. B. David, Audit of County Books	1,800.00
Robert E. Hayes, Game Warden Travel	187.50
Jail, Dieting of Prisoners	400.00
Travel, Sheriff's Department	500.00
To pay Department of Corrections for safekeeping of Quincy Bullock	1,183.95
Home Demonstration Agent's Department Equipment	300.00
Dillon County TB Ass'n	1,000.00
Dillon County Forestry Board for 2 new pickups for Forestry work	2,650.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1234, H2744)

No. 1084

An Act To Authorize The Board Of Trustees Of School District No. 3, Dillon County, And The Treasurer Of The County To Borrow Not Exceeding One Hundred Thirty Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dillon County School District No. 3 may borrow money.—The Board of Trustees of School District No. 3 in Dillon County and the Treasurer of Dillon County are authorized to borrow for school purposes not exceeding one hundred thirty thousand dollars from the Division of Sinking Funds and Property. The

amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Trustees and the Treasurer of Dillon County. The note or notes shall bear interest at the rate of four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Dillon County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the school district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the school district, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1274, H2691)

No. 1085

An Act To Provide For The Levy Of Taxes For County And School Purposes Of The County Of Dillon For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963; To Provide For The Expenditure Thereof; And To Prescribe The Duties Of Certain County Officers.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of eight mills is hereby levied upon all the taxable property in the County of Dillon for county purposes, for the fiscal year beginning July 1, 1962, for the amounts and for the purposes hereinafter stated, that is to say:

A. Salaries:

Auditor's Office:

County Auditor, Salary	\$ 2,100.00
Mileage	200.00
Deputy Auditor	2,940.00

The county auditor is hereby assigned as custodian of grounds of public buildings and auditing machines.

Deputy Auditor is hereby assigned as assistant custodian of grounds of public buildings and auditing machines	200.00
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Total	\$ 5,440.00
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Treasurer's Office:

County Treasurer, Salary	\$ 2,100.00
Mileage and Office Expense	200.00
Clerk to County Treasurer	2,835.00

Total	\$ 5,135.00
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Clerk of Court's Office:

Clerk of Court, Salary	\$ 5,400.00
Mileage and Office Expenses	200.00
Additional Duties, Clerk of Court	300.00
Clerk to Clerk of Court	2,940.00
Clerk to Clerk of Court—Part Time	1,260.00

Provided, the Clerk of Court is herewith assigned additional duties of custodian of courthouse and photographic machine operator.

Total	\$ 10,100.00
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Sheriff's Office:

Sheriff, Salary	\$ 5,200.00
Sheriff, Mileage	1,800.00
Deputy Sheriffs, 5 @ \$3,600.00 each	18,000.00
5 Deputy Sheriffs, mileage @ \$1,800.00	9,000.00
Radio Supplies, Equipment	900.00
Jailer-Radio Operator	2,000.00

Clerk to Sheriff	2,730.00
<i>Provided</i> , the sheriff shall designate one deputy as the Chief Deputy and for such additional duties he shall be compensated annually, additional salary	300.00
The sheriff shall designate one deputy as special deputy and for such additional duties he shall be compensated annually, additional salary	300.00
Use of personal cars—Sheriff and 5 deputies each @ \$600.00 annually, payable monthly....	3,600.00
<i>Provided</i> , The Sheriff shall dispose at public sale all confiscated automobiles, trucks or other vehicles on hand, within a period of sixty days of seizure; and deposit the proceeds with the County Treasurer to be used for educational purposes.	
Total	\$ 43,830.00
Probate Judge's Office:	
Judge of Probate, Salary	\$ 4,500.00
Mileage and Office Expense	200.00
Clerk to Probate Judge	2,940.00
Clerk to Probate Judge—part time	1,260.00
Total	\$ 8,900.00
County Board of Commissioners:	
Chairman, Salary	\$ 780.00
Chairman, Mileage	100.00
Five Commissioners @ \$600.00 each	3,000.00
Five Commissioners, Mileage	500.00
Clerk to County Board	2,730.00
Dieting of Prisoners	1,500.00
Emergency Fund—Jail Medicines	450.00
Pauper Burials @ \$75.00 each	1,500.00
Road Supervisor, Salary	3,700.00
Road Supervisor, Mileage and Expense	600.00
Operational Fund for Road Maintenance, Bridges, etc.	34,000.00
Chain Gang Guards, 3 @ \$3,000.00, 1 @ \$3,300.00 and 1 @ \$1,200.00	13,500.00
Travel for one Chain Gang Guard	600.00
One Mechanic	2,800.00

Clerk to Delegation, provided that Clerk of Board of Commissioners shall serve as Clerk to Delegation	300.00
Dillon County Chamber of Commerce	1,000.00
Dillon Rescue and First Aid	500.00
Street Lights for Unincorporated Communities	1,500.00
Repairs on Dillon County Courthouse	1,500.00
Dillon County Historical Society	500.00

Total \$ 71,060.00

Board of Education Office:

Chairman, @ \$65.00 per month	\$ 780.00
Two Members, @ \$600.00 each	1,200.00
Clerk to County Board of Education	2,835.00
Jeanes Teacher, Salary	2,800.00
Jeanes Teacher, Mileage	480.00
Attendance Teacher, Mileage Expenses	600.00
County Superintendent of Education, Mileage Expense	1,100.00

Total \$ 9,795.00

Board of Health:

Clerk I, Salary	\$ 1,258.00
Clerk I, Part-time	2,274.00

Travel:

Health Officer	850.00
Sanitarian III	1,680.00
P. H. Nurse 1-B	1,000.00
P. H. Nurse 1-A	1,000.00
P. H. Nurse 1-A	1,000.00
Miscellaneous Office Expense	800.00
Medicine for Indigent T. B. Patients	300.00
Chest X-Ray Clinic	500.00
Crippled Children's Travel	\$ 1,200.00

Total \$ 11,862.00

Department of Public Welfare:

Mileage and use of personal cars for 6 workers @ \$300.00	\$ 1,800.00
Telephone	500.00
Chairman	420.00

Two Members, @ \$360.00 each	720.00
Two Clerks, @ \$240.00 each	480.00
Mileage, Child Welfare Worker	720.00
Miscellaneous Expense—Office	1,560.00
Welfare Fund, for Out-of-County Expenses...	200.00
Emergency Aid Fund, includes hospitalization and medical care for paupers only—not on Wel- fare Rolls	13,000.00

Provided, that hospitalization of indigent persons shall be expended only upon approved certificates by the Board of Public Welfare of Dillon County and there shall not be expended on any one case a greater sum than \$150.00.

Provided, further, that the Board may in extreme cases approve further expenditures, but the county shall not be liable for additional sums unless authorization by the Board is first secured. This fund shall be drawn quarterly by the Board of Public Welfare from the County Board of Commissioners on vouchers.

Total \$ 19,400.00

Office of County Service Officer:

Service Officer, Salary	\$ 3,600.00
Service Officer, Mileage	800.00
Assistant to Service Officer	2,600.00
Office Expense	300.00

Total \$ 7,300.00

Tax Collector's Office:

Assistants to Tax Collector	\$ 3,500.00
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Provided, this fund shall be disbursed on a basis of two dollars for each tax execution collected by Tax Collector or Assistant Collectors, and that their claims shall be approved by the Delinquent Tax Collector before approval and payment by the County Board of Commissioners.

Clerk to Delinquent Tax Collector	2,730.00
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Total \$ 6,230.00

Magistrates:

Dillon	\$ 2,500.00
Little Rock	750.00
Latta	2,300.00
Kirby	420.00
Lake View	1,420.00
Fork	420.00

Total \$ 7,810.00

Master's Office:

Master, Salary	\$ 2,400.00
<i>Provided</i> , clerical help be paid by Master from salary.	

Total \$ 2,400.00

Coroner's Office:

Coroner, Salary	\$ 1,800.00
Stenographer to Coroner	200.00
<i>Provided</i> , that stenographer shall be paid by County Board of Commissioners at the rate of \$7.00 per inquest.	
Mileage	200.00

Total \$ 2,200.00

County Attorney's Office:

County Attorney, Salary	\$ 300.00
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Total \$ 300.00

Janitors:

Janitors at Courthouse	\$ 1,700.00
Janitor at Agricultural Building	1,620.00
Janitor at Health Center	1,620.00

Total \$ 4,940.00

B. Jurors \$ 3,000.00

Provided, jurors be paid at rate of \$6.00 per day.

Total \$ 3,000.00

C. Post Mortems, Inquests, Lunacy Examinations 1,000.00

Total \$ 1,000.00

D. Public Buildings, including Health Centers, Fuel, Water, Lights, Insurance, Telephone . . .		\$ 20,000.00
<i>Provided</i> , however, that all long distance tele- phone calls be reported separately to the Board of Commissioners before any bills shall be paid, such reports to be submitted by the first Mon- day in each month.		
Total		\$ 20,000.00
E. Dillon Armory		\$ 1,800.00
Total		\$ 1,800.00
F. Cancer Society		\$ 750.00
Dillon County Mental Health Association		250.00
Total		\$ 1,000.00
G. Printing, Postage, Stationery		\$ 7,500.00
Total		\$ 7,500.00
H. Contingencies:		
Miscellaneous Contingent Fund		\$ 7,500.00
<i>Provided</i> , \$6,500.00 of the above sum shall be spent upon the approval of the Legislative Del- egation and \$1,000.00 shall be spent upon ap- proval of the County Board of Commissioners. Amount to be used for Uniform Reciprocal En- forcement of Support Act to be disbursed @ \$25.00 per case		750.00
Total		\$ 8,250.00
I. Latta Library		\$ 14,370.00
Funds to be paid monthly by County Board of Commissioners on vouchers properly drawn by Latta Library Association—also operation Ne- gro Libraries.		
Total		\$ 14,370.00
J. Vital Statistics		\$ 300.00
Total		\$ 300.00
K. Postage, Home and Farm Agents		\$ 50.00
4-H Club—Boys'		175.00
4-H Club—Girls'		175.00

Home Demonstration Supplies	50.00
Boy Scout Work	250.00
Girl Scout Work	250.00
Home Demonstration Agent, Salary Supplement	120.00
County Agent, Salary Supplement	420.00
Assistant County Agent, Mileage	420.00
Dillon Soil Conservation Dist.	700.00
Game Warden, Mileage (2)	600.00
Total	\$ 3,210.00
L. Retirement Fund, County Officials	\$ 3,000.00
Social Security, County Officials	2,000.00
Workmen's Compensation	825.00
Total	\$ 5,825.00
M. Chaplain for Chain Gang	\$ 300.00
Total	\$ 300.00
N. Dillon County Soil Conservation Supervisor Clerk	\$ 2,730.00
Total	\$ 2,730.00
O. Board of Equalization	\$ 900.00
Total	\$ 900.00
P. Dunbar Memorial Library:	
Librarian, Salary—\$25.00 monthly	\$ 300.00
Total	\$ 300.00
Q. Forestry Board:	
Operation—Two Trucks @ \$300.00	\$ 600.00
Total	\$ 600.00
R. American Legion	\$ 350.00
V. F. W.	\$ 350.00
Lake View American Legion	350.00
Mrs. A. B. Jordan—Retirement @ \$75.00 per month	900.00
B. F. Gasque—Retirement @ \$100.00 per month	1,200.00
Dillon Summer Recreation Department	500.00

STATUTES AT LARGE
LOCAL AND TEMPORARY LAWS—1962

[No. 1085]

Latta Summer Recreation Department	250.00
Lake View Summer Recreation Department..	250.00
Dillon Colored Recreation Department	500.00

Total	\$ 4,650.00
Director of Civil Defense, Rural Fire and Rescue	\$ 6,600.00
Administrative Asst.	2,870.26
Travel	600.00
Civil Defense Administrative Expense	3,000.00
Engineers	7,200.00
Fire Department Operation	2,500.00
Civil Defense Surplus Property	1,000.00
Firemen's Compensation	5,000.00

Provided, the above sum shall be expended at the rate of \$5.00 per rural fire on individual vouchers submitted quarterly and approved by Dillon County Rural Fire Director.

Total	\$ 28,770.26
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GRAND TOTAL—APPROPRIATIONS ..\$321,207.26

Estimated Amount of Deductions and Discounts:

Tax Discount Act	\$ 5,000.00
Estimated Amount of 1960-1961 Nulla Bona	
Tax Executions	5,000.00

Total	\$ 10,000.00
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GRAND TOTAL—ALL APPROPRIATIONS ..\$331,207.26

Less Estimated Revenue—Other Than Taxes:

Insurance Tax from State	\$ 20,000.00
Fines and Costs—Magistrate	30,000.00
Gasoline Tax from State	90,000.00
Liquor Tax and Licenses from State	30,000.00
Income Tax from State	35,000.00
From State for Service Officer's Office	5,000.00
Fees and Commissions from County Offices...	25,100.00
Beer Tax from State	10,000.00

Bank Tax from State	1,000.00
Civil Defense Compensation	5,160.00
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Total	\$251,260.00
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Net to be raised from Taxation	\$ 79,947.26

SECTION 2. Supplies such as coal, fuel, food, office and other supplies for operation of the County Courthouse, Agricultural Building, Health Centers, Jail and Chain Gang shall be purchased by the board of county commissioners. No salaries shall be paid in advance.

SECTION 3. The Road Supervisor of Dillon County shall perform his duties under the direction and control of the county board of commissioners. The county board of commissioners shall control and maintain strict supervision of all county roads, all equipment and installations at the chain gang camp and such cemeteries as may be decided upon by the board. Supplies and equipment for the chain gang shall be purchased by or at the direction of the county board of commissioners.

SECTION 4. The appointment of the jailer shall be the duty of the sheriff, and he shall be fully responsible for the jailer's duties and actions. The jailer is also to be radio operator at the jail's remote control station.

SECTION 5. The County Treasurer of Dillon County, and other officers of the county who may handle funds of the county, are hereby authorized and empowered to deposit funds of the county or subdivisions thereof, both current or sinking funds in any bank or banks, but before making such deposits, shall require from such bank or banks a bond equal to or in excess of funds deposited, secured by bonds of the United States Government, or State, county, or any political subdivision thereof, and approved by a majority of the following: chairman of the board of county commissioners, county auditor, county treasurer, chairman of the county board of education, in writing and filed with the clerk of court for public inspection, to indemnify the county against loss. *Provided*, that the county treasurer is hereby authorized, in his discretion, to use any sinking fund money on hand to buy any of the bonds or notes of the county or any school district thereof. No county funds shall be used for bringing fugitives from the county back into the State, except the amount therefor first be approved by the board of county commissioners.

SECTION 6. The county auditor is hereby authorized, empowered and directed to charge the following levies against all taxable property of the County of Dillon for the fiscal year 1962-1963 for the following purposes: county ordinary, eight mills; teachers' salaries, fifteen mills; one mill teachers' sick leave for a maximum annual sick leave of ten days per teacher @ \$7.00 per day; incidental expenses for schools, eight mills; building repairs for school, six mills; insurance on public school buildings, one mill; and school lunches, three mills to be used for lunches upon recommendation of the county board of education. *Provided*, no dog tax shall be levied.

SECTION 7. The commutation road tax for the year 1962-1963 shall be two dollars and shall so remain at the same annual rate until changed by the Dillon County Delegation in the annual appropriations act.

SECTION 8. The amounts appropriated herein, under the several items for the several purposes as indicated, are the maximum amounts appropriated for such purposes, and it shall be unlawful for the various county boards or officers to make contract or contracts, for the expenditure of the monies, or the county treasurer to pay any sums in excess of the amount appropriated under such item, unless otherwise provided by law, or without the consent in writing, of a majority of the Legislative Delegation, including the Senator, from Dillon County. *Provided*, that no funds shall be transferred from one appropriation to another without the consent in writing of a majority of the Legislative Delegation, including the Senator, from Dillon County.

The county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure or contract the amount herein provided for each item, and for such excess allowed or permitted, said officers shall be held liable on their official bonds. The clerk of the county board of commissioners shall make monthly statements of expenditures and balances of the different items, both to the board and to each member of the Legislative Delegation from Dillon County. Any contract made in violation of this act shall not be a valid claim against Dillon County.

SECTION 9. The legal office hours for the County of Dillon shall be from 8:30 A. M. to 5 P. M., except Saturdays, when the hours

shall be from 8:30 A. M. to 12 noon. *Provided*, that all holidays declared legal holidays by the State of South Carolina are excepted from the provisions thereof. *Provided*, further, November eleventh and December twenty-sixth are hereby designated as legal holidays in Dillon County.

SECTION 10. All funds remaining in the treasurer's accounts, other than appropriated funds, shall be set aside as permanent reserve funds and shall be used subject to the same terms and conditions as apply to county sinking funds. The accountant making the annual audit of the county shall cause such transfers as are necessary to be made in the event such entries have not been made by the office or officer having such funds in his custody. Before charging off any tax execution as nulla bona, it shall be the duty of the delinquent tax collector to call in session the members of the board of assessors of the district, or districts, affected, who shall examine all items proposed to be charged off as uncollectible and no such execution or charge shall be eliminated unless it bears the written approval of the board or the members of the district comprising the board in which the charge was made, and the reason for charging off any nulla bona item shall be written on the face thereof.

SECTION 11. The Superintendent of Education of Dillon County is hereby authorized and directed to establish and keep complete records, subject to yearly audit, of all receipts and disbursements of funds of all school hot lunch operations in Dillon County. All school officials receiving or disbursing school hot lunch funds shall submit to the Superintendent of Education of Dillon County monthly reports or statements of their receipts and disbursements of school hot lunch funds.

SECTION 12. The county auditor is hereby authorized and empowered to raise or lower the levies herein provided as may be necessary to meet the appropriations herein made after taking into consideration the other revenues accruing to or to accrue to the county. *Provided*, such change in levy is approved in writing by a majority of the Legislative Delegation, including the Senator, from Dillon County.

SECTION 13. All unexpended appropriated funds in any item of this act shall revert back to the general funds of Dillon County at the end of the fiscal year.

SECTION 14. It shall be the duty of the probate judge to make a charge of one dollar for issuance of certified copies of marriage licenses to a non-resident of Dillon County. All fees collected under this section shall be paid to the Treasurer of Dillon County and credited to the general funds.

SECTION 15. Each month all monies turned over to the county treasurer by the delinquent tax collector shall be distributed equally among the three school districts by the county treasurer, and shall be expended on this basis as directed by the county board of education.

SECTION 16. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R682, S436)

No. 1086

An Act To Provide For The Selection Of State Secondary Roads To Be Hardsurfaced In Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Selection of certain roads to be paved in Dorchester County.—Notwithstanding any provisions of law to the contrary, all roads designated for hard-surfacing in the State Highway Secondary Construction Program as provided for under the provisions of Act No. 855, Acts of 1958, as amended by Act No. 312, Acts of 1959, in Dorchester County in any fiscal year shall be selected from a list submitted during such year in writing by the Board of Directors of Dorchester County and the Road Supervisor of Dorchester County, or a majority thereof.

The provisions of this act shall include all accrued entitlements in Dorchester County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R932, S639)

No. 1087

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution Of This State, Relating To Taxes For Corporate Purposes, Shares Of Stockholders And Limit Of Bonded Debt, So As To Increase The Bonded Debt Limit In Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Dorchester County.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State to be added at the end thereof: “*Provided*, that the limitation as to bonded indebtedness imposed by this section shall not apply to Dorchester County and that Dorchester County may incur bonded indebtedness to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein. The bonded indebtedness of the county shall not be considered in determining the power to incur indebtedness by any municipality or political subdivision of the county or State, wholly covered or partially extending over the territory of such county.”

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: “Shall Section 5 of Article X of the Constitution of this State be amended so as to permit Dorchester County to incur bonded indebtedness not to exceed fifteen per cent of the assessed value of all taxable property within the county?”

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of the amendment,’ and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to the amendment.’”

(R974, H2512)

No. 1088

An Act To Provide For The Levy Of Taxes For Ordinary, School And General County Purposes For Dorchester County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, And To Direct And Provide For The Expenditure There-Of; And To Otherwise Provide For The Fiscal Affairs And The Administration Of The Business Of Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following sums of money, if so much be necessary, be and the same are hereby appropriated for the purposes herein set forth for the County of Dorchester for the fiscal year beginning July 1, 1962, and ending June 30, 1963; and the Auditor of Dorchester County is hereby authorized to levy, and the Treasurer to collect, a tax upon all the taxable property in the county sufficient to defray the same, after deducting all other available income and revenue:

Item 1. Roads and Bridges—Convicts and Maintenance of Road Organization and Equipment	\$ 52,000.00
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Total Item 1	\$ 52,000.00
Item 2. Salaries:	
Clerk's Office:	
Clerk of Court	\$ 1,800.00
Clerical Help to Clerk (Two Clerks @ \$2,700.00 each)	5,400.00
Books—Book Binding, Supplies	2,500.00
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	9,700.00
Sheriff's Office:	
Sheriff	4,500.00
Expenses for Sheriff—Travel, etc.	1,500.00
Clerical Help for Sheriff	2,700.00
Deputy Sheriffs (Four @ \$300.00 per month) ..	14,400.00
Expenses—Deputy Sheriffs (\$100.00 each per month)	4,800.00
Law Enforcement Fund (to be expended by Sheriff)	800.00
Payment on Radios	1,041.15

Deputy Sheriff and Jailer (Jailer to act as Radio Dispatcher at night)	1,980.00
Expense for Jailer	420.00
Uniforms for Deputies	700.00
Service and Repairs on Radios	200.00
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	33,041.15
County Treasurer's Office:	
Treasurer	1,200.00
Clerk Hire to Treasurer	2,700.00
Supplies for Office	100.00
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	4,000.00
Auditor's Office:	
Auditor	1,200.00
Clerk Hire to Auditor	2,400.00
Supplies for Office	100.00
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	3,700.00
Tax Collector's Office:	
Tax Collector	3,600.00
Expenses—Travel, etc., for Collector	600.00
(All fees, except mileage, to be paid to the Treasurer)	
Clerk to Tax Collector	2,400.00
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	6,600.00
County Attorney	1,200.00
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	1,200.00
Coroner's Office:	
Coroner	600.00
Expenses, Travel, etc.	300.00
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	900.00
Master in Equity's Office:	
Master in Equity	1,200.00
Clerk—Part time to Master	900.00
(All fees to be retained by Master)	
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	2,100.00

Janitor—Courthouse	1,500.00
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	1,500.00
Road Supervisor's Office:	
Road Supervisor	4,800.00
Expenses, Travel, etc.	600.00
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	5,400.00
Judge of Probate's Office:	
Judge of Probate	2,400.00
(All fees to be retained by Judge of Probate)	
Clerk to Judge of Probate	1,500.00
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	3,900.00
Board of Directors:	
Chairman, Board of Directors	2,400.00
Four Directors @ \$900.00 each	3,600.00
Clerk to Board of Directors	2,400.00
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	8,400.00
Clerk to Health Nurse at Summerville	2,400.00
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	2,400.00
Magistrates and Constables:	
Magistrate at St. George	1,800.00
Constable at St. George	1,500.00
Magistrate at Reevesville	900.00
Constable at Reevesville	600.00
Magistrate at Harleyville	900.00
Constable at Harleyville	600.00
Magistrate at Ridgeville	900.00
Constable at Ridgeville	600.00
Magistrate at Summerville	2,000.00
Constable at Summerville	2,000.00
Assistant to Solicitor of First Judicial Circuit ..	250.00
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	12,050.00
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Total Item 2	\$ 94,891.15

Item 3. County Boards:

A. Board of Education—Seven Members\$ 2,100.00

2,100.00

B. Board of Registration—Three Members @

\$500.00 each 1,500.00

Clerk to Board 500.00

(Members and Clerk to receive \$100.00 per
month from Jan. 20, 1963 to June 20, 1963)

2,000.00

C. Board of Assessors 2,500.00

2,500.00

D. Board of Health 6,500.00

(The above amount to be expended if so much
be necessary by the Board of Health for Rent,
Utilities, Biologicals, etc., upon the written ap-
proval of the Dorchester County Legislative
Delegation)

6,500.00

E. Forfeited Land Commission—Three members .. 1,800.00

1,800.00

Total Item 3\$ 14,900.00

Item 4. Dieting of Prisoners at Jail @ \$1.50 per day ..\$ 9,500.00

Supplies for Jail 500.00

10,000.00

Total Item 4\$ 10,000.00

Item 5. Jurors and Witnesses\$ 2,400.00

Provided, that all jurors be paid \$5.00 per day
for attendance at court, and each witness be paid
\$3.00 per day for the same.

2,400.00

Total Item 5\$ 2,400.00

Item 6. Charities:	
Dorchester County Hospital	\$ 35,000.00
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	35,000.00
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Total Item 6	\$ 35,000.00
Item 7. Post Mortems and Lunacies	
Pauper Burials	\$ 1,000.00
	1,000.00
	<hr/>
	2,000.00
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Total Item 7	\$ 2,000.00
Item 8. Charges for Water, Lights, Fuel, Insurance for	
Courthouse, Jail and County Buildings	\$ 3,200.00
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	3,200.00
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Total Item 8	\$ 3,200.00
Item 9. Printing, Postage and Stationery	
(This amount to be paid by Board of Directors	\$ 3,000.00
upon claims presented for above items for all	
County Officials)	
	<hr/>
	3,000.00
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Total Item 9	\$ 3,000.00
Item 10. Miscellaneous:	
A. Bond Premiums for County Officials	\$ 750.00
B. Expenses—Probation Officer	600.00
B-1. Expenses—School Lunch Supervisor	300.00
B-2. Expenses—Director, Department of Public Wel-	
fare	900.00
B-3. Expenses—Visitors, Department of Public Wel-	
fare (Three @ \$600.00 each)	1,800.00
B-4. Expenses—Board Members of the Department	
of Public Welfare	900.00
B-5. Expenses—County Service Officer	600.00
B-5. (A) Clerk to Service Officer	1,200.00
B-6. Telephones—Courthouse, Jail and Department	
of Public Welfare (including long distance mes-	
sages in official capacity only)	2,000.00

B-7. Medical attention to prisoners	500.00
B-8. Registrars of Vital Statistics	650.00
C. Office Rent for County Agents	720.00
C-1. Office Rent, Heat, Lights, etc., for Department of Public Welfare	1,080.00
C-2. Office Rent—Superintendent of Education	240.00
C-3. Rent—School Lunch Warehouse	300.00
C-3. (A) Stenographers—Welfare Department— Supplement	600.00
C-4. Rent—F.H.A. Office	420.00
C-4. (A) Rent—Magistrate's Office—Summerville ..	300.00
D. Emergency Relief—Department of Public Wel- fare	2,000.00
D-1. Supplies—Department of Public Welfare	50.00
E. County Agents—4-H Club Work	200.00
F. Negro Home Demonstration Agent—Salary and Travel	720.00
G. Negro Boys' 4-H Club Work	50.00
G-1. Negro Girls' 4-H Club Work	50.00
G-2. Negro Agent's Office Rent	360.00
G-3. Clerk—Half time Negro Agent and Home Demonstration Agent	600.00
H. Supplies for Negro Home Demonstration Agent ..	50.00
H-1. Supplies for Home Demonstration Agent	75.00
H-2. Women's Home Demonstration Work	50.00
I. Home Demonstration Agent—Salary Supple- ment	240.00
I-1. County Agent—Salary Supplement	500.00
J. Clerk to County and Home Demonstration Agent ..	960.00
K. Vocational Agriculture Program	850.00
L. Dorchester County T.B. Association	2,500.00
M. Salary—St. George Librarian	600.00
N. Harleyville—Ridgeville Public Libraries	100.00
O. Timrod Library and Library Association	2,000.00
P. Assistant Librarian—Ridgeville	600.00
Q. National Guard Company—Maintenance	1,500.00
Q-1. Auditing of County Books	1,500.00
R. Social Security—Employees	4,000.00
R-1. Premiums—S. C. Industrial Commission	2,240.00

R-2. Contributions—S. C. Retirement System	4,000.00
Total Item 10	\$ 39,655.00
Item 11. A. Law Enforcement—Harleyville	\$ 1,800.00
B. Law Enforcement—Ridgeville	600.00
C. Law Enforcement—Reevesville	300.00
	2,700.00
Total Item 11	\$ 2,700.00
Item 12. Dorchester County Circulating Library	\$ 6,400.00
(The above amount to be expended by the County Board of Directors upon the written ap- proval of the Dorchester County Legislative Delegation)	
	6,400.00
Total Item 12	\$ 6,400.00
Item 13. To Dorchester Soil Conservation District	\$ 1,000.00
(To be expended upon written approval of Dorchester County Legislative Delegation)	
A. Civil Defense	2,000.00
	3,000.00
Total Item 13	\$ 3,000.00
Item 14. For Industrial and Development Purposes to be used in conjunction with Charleston and Berke- ley Counties	\$ 2,000.00
(To be expended on the written authorization of the Dorchester County Legislative Delegation)	
	2,000.00
Total Item 14	\$ 2,000.00
Item 15. Contingent Fund	\$ 5,000.00
(The above amount is appropriated to meet un- foreseen emergencies in the operation of County	

Government and shall be expended upon the written authorization of the Legislative Delegation of Dorchester County.)

	5,000.00
Total Item 15	\$ 5,000.00
GRAND TOTAL	\$276,146.15
LESS ESTIMATED REVENUE FROM OUTSIDE SOURCES:	
Gasoline Tax	\$ 95,000.00
Fines	20,000.00
Insurance License Fees	10,336.25
Income Tax	25,000.00
Wine and Beer Tax	5,000.00
Bank Tax	900.00
Delinquent Taxes and Costs	15,000.00
Liquor Tax	19,000.00
Service Officer	4,875.00
Total Estimated Revenue	\$195,111.25
AMOUNT TO BE RAISED BY TAXATION	\$ 81,034.90

Item 16. Bonded Indebtedness:

- (1) The necessary amounts are hereby appropriated to meet the payment of principal and interest maturing during the fiscal year, beginning July 1, 1962, and ending June 30, 1963, on all bond issues and other indebtedness now outstanding against the County of Dorchester.
- (2) The County Treasurer is hereby empowered to borrow for county purposes during the fiscal year, beginning July 1, 1962, and ending June 30, 1963, to the extent of the tax levy and other income or revenue of the county, if so much be necessary, upon his note or notes, and is empowered to pledge as security for such money borrowed, and interest thereon, the taxes of the year 1962, together with any other income or revenue of the county for the fiscal year 1962-1963.

- (3) The County Auditor and County Treasurer are hereby required and authorized to collect three dollars per head from all persons liable for Road Work Commutation Tax.
- (4) All drafts and warrants issued by the County Board of Directors upon the County Treasurer for the period beginning July 1, 1961, and ending June 30, 1962, the payment of which was authorized by the Dorchester County Delegation to the General Assembly, are hereby approved and confirmed.

SECTION 2. In case of a vacancy by death, resignation or otherwise in the office of any magistrate, constable or other officer of Dorchester County, the salary, expenses and other emoluments shall only be paid to a successor who has been recommended for appointments by the Senator and the Member of the House of Representatives of Dorchester County.

SECTION 3. Upon the written approval of the Legislative Delegation of Dorchester County, the trustees of each of the School Districts of Dorchester County are hereby authorized and empowered to borrow such sums of money as are necessary for the operating expenses of the schools for the 1962-1963 school year, and to pledge as security for the payment of any sum or sums borrowed under this authorization the taxes levied upon the school districts for general operating expenses for the school year 1962-1963.

SECTION 4. All bills presented to the County Board of Directors of the county shall be itemized.

SECTION 5. The purchase of any materials or supplies for any county officials or agents of Dorchester County in excess of one hundred dollars must be first approved by the County Board of Directors.

SECTION 6. Appropriations for State Aid for Teachers' salaries, and all other school districts, county and State appropriations for the operation of the public school system, shall cease and become inoperative for any school from which, and for any school to which, any pupil may transfer pursuant to, or in consequence of, an order of any court, for the time that the pupil shall attend a school other than the school to which he was assigned before the issuance of such court order.

SECTION 7. Notwithstanding any provisions of any act to the contrary, all persons sentenced to the Public Works of Dorchester County shall be subject to the sole jurisdiction of the Road Supervisor of Dorchester County and subject to his orders, care and keeping.

SECTION 8. It shall be the further duty of the Road Supervisor to see that the grounds of the Courthouse and Dorchester County Hospital shall be cleaned at least once each month.

SECTION 9. This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R1122, S664)

No. 1089

An Act To Authorize The County Board Of Directors Of Dorchester County To Issue General Obligation Bonds Of The County In An Amount Not To Exceed One Hundred Thousand Dollars; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which The Proceeds May Be Expended; And To Make Provisions For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the sum of one hundred thousand dollars is required to defray Dorchester County's share of the Technical Training Center to be operated jointly with the Counties of Berkeley and Charleston. It has therefore determined to authorize the Dorchester County Board of Directors (hereinafter called the "board") to issue bonds to the extent of one hundred thousand dollars, if on the particular occasion that the same are issued the applicable constitutional debt limitation shall not be exceeded.

SECTION 2. Bond issue authorized—issue.—For the purpose of obtaining the necessary funds to pay Dorchester County's share in the Tri-County Technical Training Center, the board is hereby authorized to issue and sell general obligation bonds in an amount not to exceed one hundred thousand dollars, either in a single issue or

from time to time as several separate issues, in the discretion of the board.

SECTION 3. Maturity—dates.—All bonds issued pursuant to this act shall mature in such annual series or installments as the board shall provide for, except that the first maturing bonds shall mature within three years from the date as of which they shall be issued; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Dorchester County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Place of payment.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 8. Execution.—The bonds and the coupons to be thereunto attached shall be executed in such manner as the board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement

of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the county shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dorchester County, and collected by the Treasurer of Dorchester County, in the same manner as county taxes are levied and collected, on all taxable property in the county, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 12. Use of proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Dorchester County, to be deposited in a bond account fund for the county, and shall be expended and made use of as follows:

- (a) Any accrued interest shall be applied to payment of the first instalment of interest to become due on such bonds.
- (b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.
- (c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:
 - (i) To defray the costs of issuing the bonds authorized by this act; and
 - (ii) To provide the funds for the purpose for which the bonds are issued.

SECTION 13. Powers of board.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. Powers—further.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds

herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1223, H2465)

No. 1090

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Edgefield County For The Fiscal Year Beginning July 1, 1962; To Provide For The Expenditure Thereof; And To Provide Tax Exemptions For Certain Manufacturing Establishments In Edgefield County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following appropriations are hereby made for operation of Edgefield County for the year beginning July 1, 1962 and ending June 30, 1963:

Item 1. Maintenance of chain gang, bridges, roads and buildings	\$ 37,000.00
Item 2. Clerk of Court's Office:	
(a) Clerk of Court's Salary	\$ 1,560.00
(b) Deputy Clerk of Court's Salary	2,400.00
Item 3. Sheriff's Department:	
(a) Sheriff's Salary	\$ 4,140.00
(b) Clerical help for Sheriff	2,160.00
(c) Two Deputy Sheriffs at \$3,540.00 each	7,080.00
(d) Uniforms for Deputy Sheriffs	400.00
(e) Maintenance and automobile expenses, radio repairs and upkeep for Sheriff's Department, if so much be necessary	3,000.00
<i>Provided</i> , the Sheriff or Deputy Sheriffs shall serve warrants for the magistrates.	
Item 4. Auditor (County's part):	
(a) Auditor's Salary	\$ 1,320.00
(b) Clerical help for Auditor	2,400.00

- Item 5. Treasurer (County's part):
- (a) Treasurer's Salary\$ 1,320.00
 - (b) Clerical help for Treasurer 2,400.00
- Item 6. Supervisor's Office:
- (a) Supervisor's Salary\$ 3,552.00
 - (b) Clerk to Board of County Commissioners 2,400.00
 - (c) Two County Commissioners at \$504.00 each .. 1,008.00
- Item 7. Attorney, Salary\$ 720.00
Provided, the County Attorney shall represent the County and any of its subdivisions in all matters without additional compensation.
- Item 8. Tax Collector, Salary\$ 2,880.00
 Travel Expense for Tax Collector 540.00
 Clerical help to Tax Collector 600.00
- Item 9. Coroner, Salary\$ 720.00
- Item 10. Judge of Probate's Office:
- (a) Judge of Probate's Salary\$ 1,560.00
 - (b) Clerical help for Judge of Probate 2,400.00
- Item 11. Magistrates:
- (a) Magistrate of First District\$ 2,100.00
 - (b) Magistrate of Second District—Trenton 700.00
 - (c) Magistrate of Third District—Johnston 1,120.00
 - (d) Magistrate of Fourth District 300.00
 - (d) Magistrate of Fifth District 640.00
- Provided*, that no magistrate in Edgefield County shall receive his salary, unless and until, he shall have filed a statement with the County Treasurer showing all cases handled and the disposition thereof.
- Item 12. Janitors:
- (a) Janitor for Courthouse\$ 1,200.00
 - (b) Janitors for Agricultural and Health Center Buildings 1,200.00
- Item 13. Jurors and Witnesses\$ 4,000.00
 (To be disbursed by county treasurer upon vouchers signed by clerk of court).
- Item 14. Post Mortems, Inquests and Lunacy\$ 700.00
- Item 15. Telephone and Telegraph\$ 2,000.00
- Item 16. Printing, Postage and Stationery\$ 2,500.00
- Item 17. Burial of County Poor\$ 100.00

Item 18.	Premiums on bonds for County Officers	\$ 1,000.00
Item 19.	Water, Heat, Lights and Fuel for County Build- ings, including heat for the two National Guard Armories	\$ 5,500.00
Item 20.	Welfare Department:	
	(a) Department of Public Welfare Board Members	\$ 324.00
	(b) For aid to Class Four of Public Welfare State Appropriation for use in Edgefield County	500.00
	(c) Department of Public Welfare for emergency purposes	300.00
Item 21.	Dieting of prisoners in County Jail	\$ 2,400.00
Item 22.	Boys' 4-H Club Work	\$ 100.00
Item 23.	Girls' 4-H Club Work	\$ 100.00
Item 24.	Farm Agent's Office:	
	(a) Contingent Fund, for Farm Agent	\$ 100.00
	(b) Demonstration Supplies for County Home Agent	100.00
Item 25.	County Service Officer:	
	(a) County Service Officer's Salary	\$ 4,320.00
Item 26.	Jailer, Salary	\$ 960.00
Item 27.	National Guard:	
	(a) Johnston National Guard	\$ 600.00
	(b) Edgefield National Guard	600.00
Item 28.	Insurance on County buildings and premiums for insurance, County employees' workmen's compensation fund	\$ 3,600.00
Item 29.	Social Security on County employees (County's part)	\$ 2,000.00
Item 30.	Retirement on County employees (County's part)	\$ 2,100.00
Item 31.	Publishing County statements in both County newspapers	\$ 480.00
Item 32.	Repairing and maintaining County machines in various County offices	\$ 300.00
Item 33.	Office equipment, office supplies, box rents and miscellaneous expenses	\$ 2,000.00
Item 34.	Civil Defense	\$ 2,160.00
Item 35.	(a) County Health Department (County's Part)	\$ 4,500.00
	(b) Hospital Charity Fund	3,500.00

Item 36. Contingent Fund	\$ 10,000.00
To be expended upon written approval of the Legislative Delegation	
Item 37. Auditing the county affairs, 1962-1963	\$ 500.00
Item 38. Superintendent of Education, travel expense ..	\$ 1,200.00
Item 39. County Board of Tax Assessors	\$ 1,000.00
Item 40. Farm Agents' Office:	
(a) County Agent, Travel Expense	\$ 600.00
(b) Home Demonstration Agent, Travel Expense ..	240.00
Item 41. Edgefield Dairy Breeders Association	\$ 900.00
GRAND TOTAL	\$150,104.00

SECTION 2. The board of county commissioners, subject to approval by the County Legislative Delegation, may divide the expenditures of such appropriations in monthly payments as nearly as practicable, and borrow money, if necessary in sufficient sums to meet the expenses of the year 1962-1963.

SECTION 3. The jailer of the county shall be appointed by the sheriff and shall serve at the pleasure of the sheriff; and shall receive one dollar per day for dieting each prisoner, to be paid out of the fund for dieting prisoners and jail.

SECTION 4. The court crier, jurors, jury boy and bailiffs shall receive seven dollars per day for each day's service in attendance upon court.

SECTION 5. In addition to the other costs and fees now allowed by law to the Probate Judge of Edgefield County for his services, he shall be entitled to the fees allowed him by law for issuing marriage licenses.

SECTION 6. No gasoline or oil purchased by the county shall be used by any officer except the county supervisor, who shall also have the use of a county-owned and maintained automobile. The gasoline, oil and automobile are to be used exclusively for county purposes.

SECTION 7. All payments herein provided for shall be made direct to the person receiving same.

SECTION 8. No telephone shall be maintained by the county except with the written approval of the county supervisor and all long

distance calls charged to county phones must be itemized and presented to the county supervisor's office before bill will be paid.

SECTION 9. No office supplies, postage or stationery, or fuel for any county office shall be bought except through the county clerk of court who shall authorize all purchases, keeping an itemized statement of the same, for which office bought, and shall furnish a statement of items each month to the county board and shall authorize no purchase beyond the appropriation herein provided.

SECTION 10. No office equipment, furniture and fixtures shall be bought except upon the written approval of the county delegation.

SECTION 11. No property shall be rented for the use of the county, or any department thereof except with the written permission of the county supervisor and at least one commissioner.

SECTION 12. All purchases for gang, roads, bridges, buildings and their maintenance, of any kind whatsoever, must be made by the supervisor personally, or on his written order; *provided*, that no item costing over one hundred dollars shall be bought by the supervisor without the written consent of at least one of the county commissioners.

SECTION 13. No tractors, trucks, scrapes, wagons, scoops or any kind of road machinery can be purchased with county funds or sold without the written consent of the County Legislative Delegation.

SECTION 14. The fee that may be charged by the Clerk of Court of Edgefield County for the recording, filing, indexing or registering any mortgage or other instrument conveying an interest in, or creating a lien on crops growing or to be grown or personal property and made to any corporation organized under the Acts of Congress, known as the Farm Credit Act of 1933, if and as amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or office thereof, shall be one dollar; and a copy or duplicate of such instrument shall be furnished to the recording officer. The fee that may be charged by the Clerk of Court for search and a certificate or priority liens on crops for each loan shall be fifty cents; *provided*, that Edgefield Coun-

ty is specifically excepted from the provisions of Section 27-61, Code of Laws of South Carolina, 1952.

The fee for recording a deed to real estate when the number of words does not exceed one thousand shall be one dollar and fifty cents, and when the number of words exceeds one thousand it shall be at the rate of fifteen cents per hundred words.

SECTION 15. The County Legislative Delegation shall have the right at any time to alter any of the salaries or appropriations herein, *provided*, the alteration shall be in the form of a letter addressed to the proper authorities and signed by both members of the delegation.

SECTION 16. The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other and any unexpended balance on hand at the expiration of the period herein provided for shall revert to the general funds of the county. No county funds shall be expended for any purpose unless such expenditure is specifically authorized by the provisions of this act, or by the written authorization of the members of the Edgefield County Delegation. Nor shall any additional employee be hired by the county without approval of the legislative delegation.

SECTION 17. In the event it should be determined by the proper authorities that the amount herein appropriated for any purpose is insufficient, then the supervisor is directed to notify the legislative delegation and the legislative delegation shall have the authority to transfer sufficient funds to take care of same, and the legislative delegation shall have the authority to transfer from the county surplus funds or any other fund, such sum or sums as in the opinion of the legislative delegation may be in the best interest of the county.

SECTION 18. All funds received from the State Forestry Commission shall be placed by the Treasurer of Edgefield County to the credit of the general funds of the county.

SECTION 19. Each and every claim drawn against the county and to be paid under the provisions of this act shall be marked as to what fund or account it is to be paid and charged against, and the records of the supervisor's and the superintendent of education's offices shall be set up by having a separate and distinct page for each item and account contained herein.

SECTION 20. The miscellaneous account herein set up shall be spent only upon the written approval of the County Legislative Delegation.

SECTION 21. The allotment of office space in the courthouse to the various officers and departments shall be made by the clerk of court who shall have complete charge of the courthouse.

SECTION 22. All funds not herein specifically appropriated or designated for some special purpose which may now be in the hands of the treasurer or may hereafter come into the hands of the treasurer shall be placed in the general funds of the county.

SECTION 23. All officers and employees of Edgefield County shall be entitled to those holidays set forth in Sections 64-151 and 64-152, Code of Laws of South Carolina, 1952.

SECTION 24. All monies accruing to the county from beer, wine and whiskey licenses and taxes shall be placed to the credit of ordinary county fund.

SECTION 25. No county-owned automobile or truck shall be used for any purpose other than county business.

SECTION 26. County offices shall remain open from nine until five o'clock Monday through Friday of each week and on Saturday shall remain open from nine until twelve o'clock, except for the office of the county superintendent of education, which office shall remain week, and on Saturday shall remain open from eight to twelve o'clock.

SECTION 27. Any new manufacturing establishment located in Edgefield County that manufactures metal cabinets, and other items, meeting the qualifications set forth in Section 65-1552 of the Code of Laws of South Carolina, 1952, shall be entitled to the tax exemption provided for in that section.

SECTION 28. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R742, H2170)

No. 1091

An Act Extending The Season For Hunting Quail And Rabbits In Fairfield, Chester And Kershaw Counties For The Year 1962.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Quail and rabbit season in Fairfield, Chester and Kershaw Counties.—Notwithstanding any other provisions of law the season for hunting quail and rabbits in Fairfield, Chester and Kershaw Counties is extended to March first for the year 1962 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1962.

(R1147, H2588)

No. 1092

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes And For Support Of The County Chain Gang For Fairfield County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, And For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of twelve mills, if so much be necessary, is levied upon all the taxable property in the County of Fairfield for the fiscal year beginning July 1, 1962, and ending June 30, 1963, which, together with the other county income, shall be used to pay the expenses of operating the county as provided herein. All county property must be marked as property of Fairfield County.

SECTION 1-A. The auditor is directed to levy and the treasurer to collect a tax of one mill on all taxable property in the County of Fairfield to be credited to the Fairfield Memorial Hospital operating fund. This to be in addition to the levy that might be directed by the Hospital Board.

Item 1. Roads and Bridges:\$ 68,000.00

Provided, that all goods and supplies purchased by the board of county commissioners for the county must not be bought other than by competitive bids and, further, that all equipment and supplies exceeding \$400.00 shall be advertised in the newspaper published in the county.

Provided, however, in cases of emergency where repair parts are necessary to restore county-

owned motor vehicles and road machinery to operation, such parts may be purchased by the board of county commissioners or the supervisor without first obtaining such bid or bids. *Provided*, further, that no road machinery or equipment shall be purchased or disposed of without the written consent of the legislative delegation. That under the direction of the Board of County Commissioners of Fairfield County, the county supervisor shall devote his entire time to the construction, maintenance and repairs of the roads and bridges of the county.

Provided, further, that all county road machinery and county trucks and motor vehicles shall be plainly marked with letters of substantial size on both sides of the vehicles as follows: 'Property of Fairfield County.'

Provided, further, that no more than one-half the above amount may be expended or obligated to be spent prior to January 1, 1963.

Item 2. Salaries:

Clerk of Court\$ 2,072.00

For use by clerk of court in keeping courthouse
yards and grounds 50.00

The clerk of court shall be the custodian of the yards and grounds of the courthouse and is charged with the duty of keeping same properly planted and landscaped. He may call upon the supervisor for labor and assistance in this work when deemed necessary.

Clerk hire for Court 672.00

Sheriff 5,152.00

Provided, that the sheriff shall be the custodian of gas, oil, tires and equipment purchased by the county, including automobiles which shall be purchased for use of sheriff's office and rural police. The jailer shall be the dispenser of the supplies and shall keep records of the supplies and materials dispensed, so as to indicate mileage, dates and amounts, and the jailer shall per-

form these duties under the direction of the sheriff.

Jailers 4,480.00

Provided, the sheriff shall designate the number of jailers, their hours and compensation.

Uniforms for Jailer (1/12 monthly) 150.00

Provided, that the insignia of the office shall be affixed upon such uniforms.

Provided, further, that the jailer shall be a competent, able-bodied person and fully capable of performing the duties of his office.

Provided, further, that the jailer shall furnish the usual surety bond required of other county police officers.

Provided, that the jailer shall be a person qualified to operate the station radio and keep adequate and proper records concerning operation of radio and the dispensing of supplies and materials to county officers' vehicles.

Clerk to Sheriff 2,800.00

Provided, that the clerk shall operate the base radio in conjunction with the jailer during office hours, in addition to his other duties.

The County Board of Commissioners, for operation of the tax collector's office and for the payment of salaries, current expenses and such stenographic or clerical hire as the commission may deem necessary, with the clerk to receive not less than \$44.80 per week 5,712.00

Travel for Tax Collector 800.00

Clerk to Clerk of Court 2,968.00

Clerk to Judge of Probate 866.00

Deputy Sheriffs, 3 @ \$4,032.00 each 12,096.00

Provided, that one of the deputies shall be stationed at and shall have his primary duties at the Winnsboro Mill Village community, and such deputy shall be assigned a county-owned police car.

Rural Police, 2 @ \$4,032.00 each 8,064.00

Uniforms for Deputies and Rural Police, same to be purchased by Rural Police Commission, not to exceed	900.00
Auditor—to receive a portion of his salary from State Funds	1,422.00
Travel for Auditor	250.00
Auditor—Clerk Hire	2,968.00
<i>Provided</i> , clerk to Auditor shall be full time.	
Treasurer—to receive a portion of his salary from State Funds	1,422.00
Travel for Treasurer	250.00
Clerk to Treasurer	2,240.00
Attorney	616.00
Coroner	1,232.00
Travel for Coroner	150.00
Supervisor	3,640.00
Clerk—Board of County Commissioners	3,360.00
Travel expenses for clerk to Board of County Commissioners	300.00
Clerk for additional work with Retirement Records, Social Security and Hospitalization Insurance	740.00
Stenographer to County Agent	560.00
Stenographer to Home Demonstration Agent	80.00
Judge of Probate	1,850.00
Secretary to Delegation	600.00
County Forest Ranger—Fire Protection—three months' salary for Tractor operator	450.00

Item 3. Expenses of County Officers:

Supervisor's car and travel expense	\$ 1,350.00
The School Lunch Supervisor and Attendance Teachers shall be under the supervision and control of the Board of Education.	
County Board of Commissioners	2,824.00
Travel for Board of Commissioners—\$5.00 per month	300.00
<i>Provided</i> , that the Chairman of the Board of Commissioners shall receive six hundred and seventy-two dollars per year, and each com-	

missioner five hundred and thirty-eight dollars per year.

Item 4. Insurance Fund\$ 4,000.00

The above amount shall be appropriated from the general fund of Fairfield County and transferred to an account designated as 'Insurance Fund' to be held by the county treasurer. The county treasurer is directed to maintain this fund in a separate account and add to it at the end of each fiscal year any unexpended balance under this item remaining at that time. The county treasurer, upon the approval of the county attorney, is authorized to invest this fund in securities which are approved under the law of this State for investment of trust funds or funds held by fiduciaries. This fund shall be held to satisfy legal claims against Fairfield County arising out of or through liability incurred by Fairfield County resulting from the operation of Fairfield County-controlled motor vehicles. The Fairfield County Board of Commissioners is hereby authorized to pay all liability claims incurred by Fairfield County, when approved first by the county attorney, or to satisfy a judgment rendered by a court of competent jurisdiction against Fairfield County arising out of the operation of Fairfield County-owned motor vehicles. A full accident report shall be made immediately to the county attorney and the County Board of Commissioners by the head of every department or county official whenever any motor vehicle under county control, operated by his department, shall be involved in an accident involving any personal injury or damage to property.

Provided, that the treasurer shall be and is authorized to borrow from this fund to meet general county expenses pending the collection of taxes, and after the collection of taxes, if such money is needed.

Item 5.	County Health Unit	\$ 5,800.00
	<i>Provided</i> , that \$500.00 of this amount will be used for the purpose of treating arrested T.B. patients.	
	<i>Provided</i> , further, that 2 nurses and the Sanitarian will receive \$90.00 per month for travel from the above appropriation.	
Item 6.	Magistrates	\$ 7,392.00
	Eight Constables for Magistrates—\$200.00 each	1,600.00
	Extra Constables for work with sheriff's office at his request	1,000.00
Item 7.	County Boards:	
	Board of Equalization	\$ 700.00
Item 8.	Jail Expenses	\$ 4,000.00
Item 9.	Jurors and Witnesses and Court Expenses	\$ 4,500.00
	Court Crier shall receive \$7.00 per day.	
Item 10.	Post Mortems, Inquests and Lunacies	\$ 700.00
	<i>Provided</i> , that inquests shall be held upon a written request of three reputable citizens and the request shall be filed with the coroner, or if in the judgment of the coroner an inquest is justified or needed.	
	<i>Provided</i> , that coroner's juror's shall receive \$1.00 per day.	
Item 11.	Public buildings, including water, fuel, lights and insurance	\$ 14,200.00
	Workmen's Compensation premium shall be paid from this appropriation.	
	<i>Provided</i> , that up to \$700.00 of this amount shall be used by the Clerk of Court to purchase the necessary equipment and supplies for the maintenance of the courthouse.	
Item 12.	Printing, Postage and Stationery	\$ 3,000.00
	<i>Provided</i> , printing, postage and stationery for the Board of Education and school use shall be paid for by the Board of Education out of the board's funds.	
Item 13.	Farm and Home Demonstration	\$ 500.00
	Clerical Help Colored Agent	300.00
	County 4-H Club Work	200.00

County Farm Demonstration and 4-H Club	
Work (colored)	300.00
Item 14. Home Demonstration Work (Colored)	\$ 500.00
Item 15. Janitor for Courthouse	\$ 1,008.00
The janitor shall be hired by and shall be under the supervision and control of the Clerk of Court (caretaker of the courthouse).	
Item 16. Janitor for County Library	\$ 336.00
Item 17. Future Farmers of America, Livestock Show ..	\$ 350.00
Item 18. Armory maintenance	\$ 800.00
Item 19. For supplies and maintenance of county-owned vehicles used in law enforcement	\$ 5,000.00
<i>Provided</i> , the above sum shall be paid upon approval of the sheriff. The County Rural Police Commission shall secure bids by public notice and shall be responsible for purchasing such supplies and equipment.	
Item 20. Board of Public Welfare	\$ 1,000.00
<i>Provided</i> , that this sum shall be paid to the Director of the Board of Public Welfare for use in extreme emergencies, and for indigent cases involving out-of-county hospitalization and medicines and paupers' burial.	
Item 20-A. The County Board of Public Welfare is hereby authorized and directed to expend the following appropriation for supplemental salaries for the director and employees of the Welfare Department	
	\$ 2,240.00
Item 20-B. Members of the Board of Public Welfare for Fairfield County shall receive \$16.66 per meeting to be divided equally among those Board members present	
	\$ 200.00
Item 21. Rural Police Commission	\$ 75.00
<i>Provided</i> , that each commissioner who shall attend a regular meeting of the commission, or a special meeting of the commission, shall receive \$5.00 for such attendance. The appropriation set forth above shall be solely for the \$5.00 attendance and paid only to those members in attendance at such meeting.	

Item 22. Magistrate Jurors (\$1.00 per day)\$ 200.00

Item 23. Fairfield Chamber of Commerce\$ 1,500.00

Provided, the sum herein appropriated shall be used for advertising of Fairfield County and the solicitation of industry to locate in Fairfield County, and for research, planning and development of the county.

Item 24. Service Officer's Office

\$4,173.00 of the appropriation hereinbelow provided for shall be paid by the State and the remainder from County Funds.

Service Officer—Salary\$ 2,650.00

Mileage 1,000.00

Clerk to Service Officer 1,925.00

Salary increases 201.00

Total for Office\$ 5,776.00

Provided, the above sum of two hundred and one dollars is hereby appropriated from county funds to increase salaries in this department. This increase is in addition to any increases granted by the State.

The expenses of this office, other than travel and salaries, shall be paid out of Item 11.

Appropriation from County Funds for above . . . 1,603.00

Item 25. Hospitalization Insurance—County employees ..\$ 4,000.00

Item 26. County Agent, Salary Supplement\$ 170.00

Assistant County Agent, Salary Supplement .. 170.00

Item 27. For costs and investigations to encourage new industry for the county, to be expended upon the approval of the entire delegation\$ 1,000.00

Item 28. Civil Defense Office

\$2,180.00 of the appropriation herein below provided shall be paid by the State and the remainder from county funds.

Civil Defense Officer—Salary\$ 3,360.00

Secretarial help and office supplies	1,000.00
<hr/>	
Total	\$ 4,360.00
Appropriation from County Funds for above ..	2,180.00
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GRAND TOTAL	\$211,910.00

SECTION 1-B. A tax of two mills is levied upon all the taxable property in the County of Fairfield for the fiscal year beginning July 1, 1962, and ending June 30, 1963, to be collected and paid over to the Fairfield County Board of Education to be applied to the retirement of bonded debt. It is further provided that an additional two mills is levied upon all the taxable property for the operation of schools for the fiscal year beginning July 1, 1962 and ending June 30, 1963.

SECTION 2. So much of the amount hereinabove appropriated for the County Health Unit under Item 5 shall be expended as may be necessary to meet the requirements established under the State Appropriations Act for Health Department work. This fund shall be expended under the following provisions: *Provided*, that the physician to be employed shall be a graduate of a regular medical college and skilled in hygiene and sanitary science, the physician shall be designated County Health Officer, and shall perform all such duties as may be imposed upon him by the sanitary laws of the State and shall discharge all the duties of County Physician; and that a trained public nurse shall be employed who shall devote her whole time to public works in Fairfield County, and such other workers as may be found necessary and desirable to properly carry out a public health program; *provided*, however, that as far as possible a medical inspection of all school children in Fairfield County shall be made by the physician in charge and that all trustees and principals shall give every assistance in carrying out this program; *provided*, further, that this appropriation is contingent upon the full compliance with this section.

SECTION 3. The salaries of the magistrates in the various districts for the fiscal year beginning July 1, 1962, and ending June 30, 1963, are hereby fixed as follows:

Magistrates at Winnsboro and Winnsboro Mills, thirteen hundred and forty-four and one thousand one hundred and twenty dollars, respectively, per year;

Magistrates at Ridgeway, Mitford, Jenkinsville and Greenbrier, eight hundred and ninety-six dollars;

Magistrates at Feasterville and Jackson Creek, six hundred and seventy-two dollars each.

SECTION 4. All warrants drawn on county funds shall specify on what fund they are drawn, and no warrant shall be drawn on any fund other than specified in this act.

SECTION 5. The Sheriff of Fairfield County shall receive not exceeding one dollar and twenty cents each per day for dieting prisoners. The sheriff shall be allowed a turnkey fee of fifty cents per prisoner actually committed to and confined within the jail.

Provided, that in the case of all temporary prisoners committed by the Town of Winnsboro, the turnkey fee shall be paid by the town.

SECTION 6. All funds now in the hands of the treasurer and all funds that may come into his hands during the year 1962-1963, and monies in the hands of the treasurer received by the collection of tax executions during the year 1962-1963 are hereby transferred and made a part of the contingent fund. All funds of the county on hand July 1, 1962, by reason of unexpended balance of appropriations for the period ending June 30, 1962, are likewise made a part of the contingent fund. No part of the contingent fund shall be spent except on an order or orders signed by the Senator and the other member of the Legislative Delegation of Fairfield County. Approval of such appropriations shall be made only at a meeting of the entire legislative delegation. *Provided*, however, in the event there is an absence of either the Senator or the House Member, then the other member of the delegation is authorized to approve such appropriation. At least one such meeting shall be held during each calendar month.

SECTION 7. The county board of commissioners is hereby directed to assume the office of Budget Officer for Fairfield County as part of their duties as county commissioners, and they are hereby authorized to reduce the appropriations for the various items in this act whenever they see that the revenue will not be available to meet the required appropriations.

SECTION 8. The sum of five hundred dollars shall be placed to the credit of the Farm Demonstration Agent, to be used by him for

prizes for the boys' and girls' clubs, and to be divided between such annually. He is directed to file at the end of the year with the county board of commissioners a statement showing how such funds are expended. The appropriation hereinbefore provided for prizes for the Future Farmers of America Livestock Show shall be withdrawn only on proper request submitted to and approved by the County Farm Demonstration Agent, who shall file at the end of each year with the county board of commissioners an itemized statement showing how such funds were expended.

SECTION 9. In the event the clerk of court or judge of probate should have, in their official capacity, any funds which have been unclaimed for as long as seven years, they are hereby authorized to pay the same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received as a part of the fund for ordinary county purposes.

SECTION 10. The county board of commissioners shall fix the salary of the superintendent of the county chain gang, to be paid out of the appropriation for Item 1, and all chain gang employees likewise shall have their salaries set by the board.

SECTION 11. All orders or warrants upon the county treasurer in the payment of approved claims shall be signed by the chairman of the board of county commissioners, attested by the clerk of the board.

SECTION 12. There is hereby levied a tax of one mill upon all of the taxable property in the county, the proceeds of which are to be used for the operation and maintenance of the Fairfield County Library. The auditor of the county is directed to levy, and the treasurer to collect, such tax, in like manner as other taxes are collected.

SECTION 13. The county board of commissioners, out of the appropriations for public buildings and insurance, shall draw a warrant in favor of the caretaker of the courthouse for twenty dollars, the sum to be used by him as a petty cash fund to buy minor supplies, the fund to be accounted for by him to the county board.

SECTION 14. The treasurer is hereby authorized and directed to place all taxes which were collected for purposes set forth in Section 15 of the 1952 Fairfield County Appropriations Act into the general

fund, and is further directed to place any such taxes which might hereinafter be collected for the funds, which taxes are now all delinquent, into the general fund upon their collection.

SECTION 15. The county, or any subdivision thereof, or any person purchasing on behalf of the county, shall not buy any item over one hundred dollars without first receiving competitive bids and, in the event the item shall cost more than four hundred dollars, request for bids shall be advertised in the newspaper published in the county; provided, however, that if the item to be purchased is the only one of its kind and there are no competitive sellers or manufacturers, then advertisement shall not be necessary.

SECTION 16. Before any carnival, road show or circus shall be allowed to operate or set up for operation in the County of Fairfield, they shall pay a license fee to the Clerk of Court for Fairfield County in the amount of one hundred twenty-five dollars a week, or on a daily basis the sum of twenty-five dollars. *Provided*, however, that such must be sponsored by a recognized civic organization. In the absence of such payment, the carnival, road show or circus shall not be allowed to set up in the county. *Provided*, further, that no carnival, road show or circus shall be allowed to operate that is accompanied by fortune-tellers, or any games of chance. The clerk shall turn over the license fee so collected to the treasurer, who shall credit same to the general fund.

SECTION 17. The treasurer is hereby authorized and directed to pay from the general fund of the county to any insurance company selected by the county board of commissioners, and approved by the county attorney, for the purpose of hospitalization and life insurance policies for county employees, not to exceed the amount appropriated in Item 25.

SECTION 18. The hawkers' and peddlers' license for nonresidents, as required by law, to do business in Fairfield County shall be as follows:

Those selling, or offering for sale, furniture	\$200.00
Those selling dry goods	150.00
Those selling jewelry and novelties	100.00
Those picking up laundry	25.00; and
Those picking up dry cleaning	25.00;

provided, that if this service is not available by or through a local laundry or dry cleaning establishment, this license shall not be required. Neither shall the license be required where laundry and dry cleaning are left with a resident storekeeper or agent to be picked up.

All other licenses shall be \$25.00, except ice delivery.

Provided, that licenses shall be from July first of a year to July first of the following year. The licenses now in effect shall be effective until they expire, at which time the clerk shall charge a pro rata license fee until the following July first if renewal is applied for. The clerk shall issue new applications until the following July first on a pro rata cost basis, and all renewals of licenses shall be from July first to July first after the initial application is made.

Provided, further, that the penalty for violation of this section shall be as prescribed by general law of this State relating to hawkers and peddlers.

The fees required herein shall be paid to the Clerk of Court of Fairfield County and shall be turned over to the Treasurer of Fairfield County for deposit to the general fund of the county.

SECTION 19. *Provided*, that if the revenue forthcoming from all sources to the County of Fairfield be inadequate to finance the obligations of the county, then, upon approval of the delegation, the Treasurer of Fairfield County shall be empowered to borrow up to forty thousand dollars, to be repaid within three years upon such terms and at such rate as may be best obtained.

SECTION 20. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R744, H2132)

No. 1093

An Act To Provide That The City Council Of The City Of Lake City In Florence County May Make Appropriations To The Lake City Planning And Development Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Lake City may make certain appropriations.—The city council of the City of Lake City in Florence County

may make appropriations to the Lake City Planning and Development Board.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R752, H2131)

No. 1094

An Act To Validate A Certain Obligation Of School District No. 5 Of Florence County, In The Amount Of Sixty-Five Thousand Dollars, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Obligation of Florence County School District 5 validated.—The General Assembly finds that prior to this enactment the board of trustees of School District No. 5 of Florence County and the treasurer of Florence County borrowed sixty-five thousand dollars from the Division of Sinking Funds and Property, evidenced by a note dated October 9, 1961, payable in five equal successive annual installments with interest thereon at the rate of four per cent per annum. The General Assembly ratifies, approves and confirms the above obligation and declares it to be legal, valid and binding upon School District No. 5 of Florence County. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes, the auditor of Florence County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and di-

rected to withhold all State funds accruing to the county, which have not heretofore been pledged, for payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R794, H2258)

No. 1095

An Act To Make Provision For Public Hospital Facilities For Lower Florence County Through The Creation Of A Hospital District To Be Known As Lower Florence County Hospital District; To Provide For The Appointment Of A Board Of Directors And An Advisory Board For The Hospital District; To Prescribe The Functions, Powers And Duties Of The District And Such Agencies; To Authorize The District To Issue Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds, Whose Proceeds Shall Be Used In The Acquisition And Construction Of A Public Hospital; To Make Provision For The Payment Thereof; To Prescribe The Terms And Conditions Under Which Said Bonds May Be Issued, And To Repeal Act No. 414 Of The Acts Of The General Assembly For The Year 1959, And Act No. 1012 Of The Acts Of The General Assembly For The Year 1960 Relating To The Lower Florence County Hospital District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that there is a need for public hospital facilities in Florence County generally and in that section of lower Florence County hereafter described, and that such a need can be best fulfilled through the establishment of a hospital district to be comprised of the area hereafter described. It is intended that public hospital facilities be furnished by the district to care for the needs of those residing in the district, and also that they be made available to other residents of Florence County elsewhere than in the district, such facilities then serving the additional function of affording

hospital care to residents of Florence County which might not otherwise be available.

The General Assembly has given due consideration to the method to be employed to accomplish its intended purpose, and has concluded that the provisions of Article 3, Chapter 4, Title 32, Code of Laws of South Carolina, 1952, do not constitute an adequate vehicle to insure the maintenance of the public health of the area intended to be served with public hospital facilities to be provided by the district, and has therefore determined that these objectives should be accomplished through this enactment which creates the Lower Florence County Hospital District, a governing body and an advisory board therefor, and prescribes the functions, powers and duties of the district and such agencies.

SECTION 2. Lower Florence County Hospital District created—area.—There is hereby created in Florence County a hospital district to be known as “Lower Florence County Hospital District”. Such district (hereinafter called “the district”) shall be comprised of that portion of Florence County consisting of the following former school districts, viz.: Lake City School District No. 47; Glendale School District No. 51 (exclusive of the portion of Glendale School District No. 51 formerly lying in Williamsburg County); Trifalia School District No. 46; Scranton School District No. 49; Liberty School District No. 44; Leo School District No. 53; McCutcheon School District No. 20 and Gaskins School District No. 50, the area being bounded as follows (the area has irregular boundaries and is not a regular quadrilateral, but for the purpose of defining its boundaries, the four general directions North, East, South and West are used):

On the West by the former boundary line separating Glendale School District No. 51 from St. Johns School District No. 9 and by the former boundary line separating Trifalia School District No. 46 from Bethel School District No. 34;

On the North by the former boundary line separating Trifalia School District No. 46 from Salem School District No. 8, by the former boundary line separating Scranton School District No. 49 from Salem School District No. 8 and Cowards School District No. 39, by the former boundary line separating McCutcheon School District No. 20 from High Hill School District No. 45 and by the former boundary line separating Liberty School District No. 44 from High Hill School District No. 45;

On the East by a line which begins at the point where the former northern boundary line of Liberty School District No. 44 intersects Lynches River, and thence proceeding southeastwardly along Lynches River to the point where Lynches River intersects the northern boundary line of Leo School District No. 53, thence proceeding southwardly along the former boundary line separating Leo School District No. 53 from Prospect School District No. 54, to the point where the former boundary line intersects Lake Swamp; and

On the South by a line which begins at the point where the former boundary line separating Leo School District No. 53 from Prospect School District No. 54 intersects Lake Swamp, and thence proceeding westwardly along Lake Swamp to the fork of Singletary Swamp, thence westwardly along Singletary Swamp to the fork of Long Branch, thence northwestwardly along Long Branch to the Williamsburg and Florence Counties line, thence westwardly and northwardly along said county line (which includes a segment of U. S. Highway No. 378) to the point of beginning.

The foregoing description has been taken from a map of Florence County surveyed by Adams & Ervin, Civil Engineers, Florence, S. C., October 1, 1913 (revised November, 1929), which is among the records of the Superintendent of Education of Florence County. A reproduction of the segment comprising the aforesaid Lower Florence County Hospital District has been drawn by Ebert E. Floyd, Registered Surveyor, Lake City, S. C., and has heretofore been filed in the office of the Clerk of Court for Florence County in February, 1962.

Prior to the issuance of the bonds authorized by this act, and in order to enable the Auditor of Florence County to ascertain precisely what property lies within the hospital district, a definite survey shall be made of the area comprising the district, which shall be effected by utilizing the description set forth in this section. Such plat, when prepared and certified, shall be filed in the offices of the Auditor, the Treasurer, and the Clerk of Court, respectively, for Florence County.

SECTION 3. Board of Directors.—For the purpose of effecting the acquisition and construction of a public hospital, and for the purpose of thereafter operating and maintaining the same, a board of directors to be known as Lower Florence County Hospital Board of Directors is hereby established. Such board (hereinafter called “the

board of directors") shall consist of five qualified registered electors residing in the district. Initial appointments shall be made by the Governor, upon the recommendation of a majority of the legislative delegation, including the Senator, from Florence County. Of those first appointed one shall have a term of one year; a second shall have a term of two years; a third shall have a term of three years; a fourth shall have a term of four years; and the fifth shall have a term of five years. Upon the expiration of the terms of office of those first appointed, successors shall be appointed by the Governor, for terms of five years, in the same manner of original appointment. If any vacancy shall arise, a successor shall likewise be appointed by the Governor, for the balance of the unexpired term, in the same manner as original appointment. All members of the board of directors shall hold office until their successors shall have been appointed and shall qualify. All terms of office shall terminate on the appropriate anniversary of the effective date of this act, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon following its initial appointment as shall be convenient, the board of directors shall organize by electing one of its members as chairman, another as vice chairman and another as secretary. A transcript of the record of the initial organization shall be filed with the Clerk of Court of Florence County in order to reflect the initial membership of the board of directors and those who shall be officers thereof.

SECTION 4. Advisory board.—For the purpose of advising the board of directors in all phases of the construction and operation of the hospital facilities of the district, and for the further purpose of making recommendations to the General Assembly (through the Legislative Delegation, including the Senator, from Florence County) as to the functioning of the facilities of the district, there is hereby appointed an advisory board to be known as the Advisory Board of Lower Florence County Hospital District. Such Board (hereinafter called "the advisory board") shall consist of three qualified registered electors residing elsewhere in Florence County, than in the district. Initial appointments shall be made by the Governor, upon the recommendation of a majority of the legislative delegation, including the Senator, from Florence County. Of those first appointed one shall have a term of one year; a second shall have a term of two years; and the third shall have a term of three years. Upon the expiration of the terms of office of those first appointed, successors shall be appointed by

the Governor, for terms of three years, in the same manner of original appointment. If any vacancy shall arise, a successor shall likewise be appointed by the Governor, for the balance of the unexpired term, in the same manner as original appointment. All members of the advisory board shall hold office until their successors shall have been appointed and shall qualify. All terms of office shall terminate on the appropriate anniversary of the effective date of this act, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon following its initial appointment as shall be convenient, the advisory board shall organize by electing one of its members as chairman, another as vice chairman and another as secretary. A transcript of the record of the initial organization shall be filed with the Clerk of Court of Florence County in order to reflect the initial membership of the advisory board and those who shall be officers thereof.

SECTION 5. Powers and duties of directors.—The board of directors shall be authorized and empowered to do all things necessary or convenient for the establishment and maintenance of adequate hospital facilities for Lower Florence County Hospital District, and without limiting in any way the generality of the foregoing shall be empowered as follows:

- (1) To adopt and use a corporate seal.
- (2) To adopt such bylaws, rules and regulations for the conduct of business and the expenditure of its funds as it may deem advisable.
- (3) To acquire a site within the district and to construct and equip a hospital thereon.
- (4) To acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property.
- (5) To accept gifts, grants, donations, devises and bequests.
- (6) To adequately staff and equip any hospital that it may operate.
- (7) To provide teaching and instruction programs and schools for nurses, hospital technicians, and physicians during internship and residency.
- (8) To employ such personnel as it may deem necessary for the efficient operation of its hospital facilities.
- (9) To establish and promulgate reasonable rates for the use of the services and facilities afforded by its hospital.
- (10) To promulgate reasonable regulations concerning the use of the facilities maintained by the board of directors, including reason-

able rules governing the conduct of physicians, nurses and technicians while on duty or practicing their profession in the facilities maintained by the board of directors and the determination of whether patients presented to the hospital for treatment are subject to charity and to fix compensation to be paid by patients other than those unable to assist themselves.

(11) To the extent that funds may be available, to operate and maintain a charity ward and free services for residents of the district and elsewhere who are destitute and unable to pay for needed hospitalization.

(12) To expend the proceeds derived from the charges made for the use of the services and facilities of the hospital for operation and maintenance thereof.

(13) To determine the fiscal year upon which the affairs of the board shall be conducted.

(14) To expend any funds received in any manner, including the proceeds derived from the issue of bonds hereinafter authorized, to defray any costs incident to establishing, constructing, equipping and maintaining hospital facilities.

(15) To apply to the Federal Government and any other governmental agency for grants of money to aid in the construction and equipping of any hospital and to accept any such grants.

(16) To accept and expend any sums contributed by Florence County or other political units under such conditions as may be imposed upon such contributions.

SECTION 6. Records and audit.—The board of directors shall at all times keep full and accurate account of its actings and doings and of its receipts and expenditures, and at least once within four months following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the same shall be filed with the Clerk of Court for Florence County and with the Secretary or Acting Secretary of the Florence County Delegation to the General Assembly.

SECTION 7. Reports.—Not less frequently than annually the advisory board shall make a written report of the activities of the board of directors, which shall include such recommendations, with respect to the functioning of the board of directors, as shall to the advisory board seem appropriate. A copy of such report shall be filed with the Acting Secretary of the Florence County Delegation to the General Assembly.

SECTION 8. Bond issue—use of proceeds.—(1) To provide the funds necessary for the purpose of acquiring a site and constructing and equipping a hospital the board of directors is hereby empowered to issue not to exceed two hundred thousand dollars of general obligation bonds of Lower Florence County Hospital District. The proceeds of the sale of the bonds authorized by this act shall be deposited with the County Treasurer of Florence County and shall be applied as follows:

(a) Any premium and all accrued interest that may be received shall be applied to the payment of the first instalment of interest to fall due upon the bonds;

(b) The expenses incurred by the board of directors in effecting the issuance and sale of the bonds shall be paid, but upon warrant of the board of directors;

(c) The remaining proceeds shall be expended upon the order or warrant of the board of directors, for the purpose of acquiring a site for the hospital facilities contemplated by this act and to meet costs incurred in the construction and equipping of such hospital facilities; and

(d) If, upon the final establishment of such hospital facilities, any moneys shall remain in the fund, the same shall be applied by the Treasurer of Florence County to the payment of the principal of bonds next maturing.

(2) Such bonds shall be issued as serial bonds, maturing in such equal or unequal amounts as the board of directors shall determine, except that the maturity schedule shall be arranged so that the first instalment of principal shall mature not later than two years from the date as of which the bonds shall be dated, and the last instalment shall fall due not later than twenty-five years from the date the bonds shall bear. Any bond issued pursuant to this act may contain a provision permitting its redemption prior to its stated maturity at such premiums as may be prescribed by the board of directors. The bonds shall bear such date and such rate or rates of interest as the board of directors may determine. They shall be in such denomination or denominations and shall be payable at such place or places as the board of directors may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Florence County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the board may prescribe.

(3) Bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their maturity at public sale, and at least ten days prior to the sale, notice of the intention to receive bids for the bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the board of directors may reserve the right to reject any and all bids, and if all bids be rejected, the board of directors may, in its discretion, negotiate for the private sale of the bonds.

(4) All bonds issued pursuant to this act shall be executed in the name of the district by the chairman of the board of directors and shall be attested by the Secretary, under the seal of the board of directors, which is hereby expressly authorized to adopt and alter a corporate seal. The coupons appertaining to the bonds need not be authenticated otherwise than by facsimile signatures.

(5) The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

(6) For the payment of the principal of and interest on the bonds, as the same respectively mature, the full faith, credit and resources of the district are hereby irrevocably pledged, and there shall be levied annually by the Auditor of Florence County and collected by the Treasurer of Florence County, in the same manner as county taxes are levied and collected such tax as may be necessary, without limit, on all taxable property in the district, to pay the principal of and interest on the bonds as the same respectively mature.

SECTION 9. Saving clause.—If any section or part of this act shall be declared invalid or unconstitutional, such declaration shall not affect the validity of other sections or parts hereof.

SECTION 10. Repeal—Acts 414 of 1959 and 1012 of 1960 repealed.—All acts or parts of acts, including specifically Act No. 414 of the Acts of 1959 and Act No. 1012 of the Acts of 1960, are hereby repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R915, H2244)

No. 1096

An Act To Appropriate The Sum Of Seventy-Two Thousand Nine Hundred Twenty-Four Dollars To Be Used For School Purposes In Florence County For The Fiscal Year 1962-1963; To Provide For A Tax Levy To Raise Such Sum; To Authorize The County Board Of Education To Borrow Money In Anticipation Of This Tax Levy; To Require School Trustees To Prepare A Budget Of School Expenses, And To Prohibit Expenditures In Excess Of Such Budgets.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The sum of seventy-two thousand nine hundred twenty-four dollars is hereby appropriated for educational purposes for Florence County for the fiscal year 1962-1963, and a tax of three and one-half mills to raise the sum is hereby levied upon all taxable property of Florence County, which sum shall be expended for the following purposes :

Item	I. Textbooks	\$ 41,614.00
Item	II. Circulating Library	5,200.00
Item	III. Supplies	500.00
Item	IV. County Board Expense	1,500.00
Item	V. County Superintendent's Office	5,700.00
Item	VI. County Superintendent	3,750.00
Item	VII. Caterers	11,160.00
Item	VIII. Hot Lunches-Needy Cases	3,500.00
Total		\$ 72,924.00

SECTION 2. In order to carry out the purposes of this act and for the operation of schools in Florence County, the board of education for the county is authorized to borrow such sum of money as may be necessary, the amount not to exceed fifty per cent of the taxes pledged for the payment thereof, and shall have the power to pledge any part or all of the school taxes levied in Florence County as security therefor. In the event it becomes necessary to borrow money for these purposes, the county board shall award the loan or loans to the lowest bona fide bidder, after first advertising for bids by notice published in one or more newspapers having circulation in Florence County for at least ten days prior to awarding such bids, and after giving written notice to all banks in Florence County of the terms and conditions under which bids shall be received. The proceeds of any

loan obtained shall be deposited with the successful bidder; *provided*, the successful bidder shall be an incorporated bank within the County of Florence and shall provide the county treasurer collateral for the same as provided by the county appropriation act.

SECTION 3. The boards of trustees of the various school districts in Florence County shall, on or before the first day of June each year, prepare a budget showing in detail the items of proposed expenditures for the schools in their respective districts for the next ensuing year and file the same with the board of education for the county for its examination and approval. No budget shall be approved by the county board of education in excess of the revenues provided for the operation of the schools in any such school district and no claim against any district shall be approved for payment by the county superintendent of education in excess of funds on the approved budget. The county board of education has the authority to spend for the benefit of the schools any unallocated funds or any accumulation of funds under any item of Section 1 of this act.

SECTION 4. This act is intended to be in addition to, and not in conflict with, any of the provisions of the Annual County Appropriation Act of Florence County for the fiscal year 1962-1963.

SECTION 5. This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R965, H2483)

No. 1097

An Act To Create The Coward Watershed Conservation District In Florence County; To Provide For The Election Of Its Directors And To Define Their Powers And Duties; And To Provide For A Tax Levy To Defray The Cost Of Organizing And Administering The District And For The Construction, Operation And Maintenance Of The Improvements To Be Provided Within The District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Coward Watershed Conservation District may be formed in Florence County.—Authority is hereby granted for the

formation of the Coward Watershed Conservation District in Florence County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 2. Area.—The area embraced in the district must be contiguous and drain naturally into Long Branch, Green Spring Branch, Horse Branch, Cox Bay Branch, DeHays Branch and Bee Tree Branch. The area shall not include lands located within the boundary of any incorporated city or town, lands not included within a soil conservation district, or lands embraced in another watershed conservation district.

SECTION 3. Petition for formation.—Formation of the district shall be initiated by the filing of a petition with the board of supervisors of the soil conservation district within the proposed conservation district. The petition must be signed by twenty-five or more freeholders in the proposed district. If there are less than fifty landowners within the proposed district, then a majority of the landowners may file a petition with the board asking that a watershed conservation district be organized to function in the area described in the petition. The petition shall set forth and define the boundaries of the proposed district, the number of acres involved, reasons for requesting the creation of the district and any other information pertinent to the proposal.

SECTION 4. Hearing on petition.—(a) Within thirty days after the petition has been filed with the board of supervisors of the soil conservation district, it shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of the watershed conservation district. All interested parties shall have the right to attend the hearing and be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the board of supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 2 of this act.

(b) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hear-

ing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the board of supervisors of the soil conservation district determines, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination, and shall define the area but the description need not be given by metes and bounds but the description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(c) If the board of supervisors of the soil conservation district determines after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall deny the petition.

SECTION 5. Referendum.—After the board of supervisors has determined that there is need, in the interest of the public health, safety and welfare, for creation of the proposed watershed conservation district, it shall consider the question whether the operation of a district within the proposed boundaries with the power conferred upon such district in Section 9 of this act is administratively practicable and feasible. To assist the board of supervisors in this determination the board shall, within a reasonable time after entry of the finding that there is need for the organization of the district and the determination of the boundaries of the district, hold a referendum within the proposed district upon the proposition of the creation of the district. Due notice of the referendum shall be by notice published at least twice with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area or, if no such publication of general circulation be available, notices shall be posted at a reasonable number of conspicuous places in the appropriate area. These notices shall be posted at public places where it is customary to post notices concerning county or municipal affairs generally. Such notices shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed district as polling places. The board shall have full charge of the election and shall have suitable ballots printed and furnished to each voting place, appoint necessary

box managers and other election officials, and shall canvass the election and announce the results. Cost of holding the referendum shall be paid from the General Fund of Florence County.

SECTION 6. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For the creation of the Coward Watershed Conservation District”

“Against the creation of the Coward Watershed Conservation District”

A square shall follow each proposition. The ballot shall also contain a direction to insert an “X” mark in the square following one or the other of the propositions, as the voter may favor or oppose creation of the district. The ballot shall set forth the boundaries of the proposed district as determined by the board of supervisors. Only owners of lands lying within the boundaries of the territory, as determined by such board, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in such referendum under rules and regulations prescribed by the board of supervisors.

SECTION 7. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the board of supervisors. Thereafter the board shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the board determines that the operation of such district is not administratively practicable and feasible, it shall record such determination and deny the petition. If the board determines that the operation of such district is administratively practicable and feasible, it shall record such determination and shall proceed with the organization of the district in the manner hereinafter set forth; *provided*, however, that the board shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a two-thirds majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the board shall determine that the operation of such district is administratively practicable and feasible, it shall certify such determination to the Clerk of Court of Florence County and to the Secretary of State. Upon this certification, the watershed conservation district shall constitute a governmental sub-

division of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 8. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.

—(a) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(b) Within thirty days after the watershed conservation district has been created, nominating petitions may be filed with the board of supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No nominating petition shall be accepted by the board of supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the board of supervisors shall declare them to be elected. No person shall be eligible to be a director who is not a landowner in that portion of the watershed conservation district within the soil conservation district in which he seeks election.

(c) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the board of supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the thirty day period for the election of five directors of the watershed conservation district. The provisions of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all nominees on behalf of whom nominating petitions have been filed as hereinabove provided shall be printed, arranged in alphabetical order of their surnames, upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. All landowners within the watershed conservation district shall be eligible to vote in the election. Only landowners shall be eligible to vote. The five candidates who shall receive the largest number respectively of the votes cast in such election shall be the elected directors of the watershed conservation district. The five elected directors

shall, under the supervision of the board of supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(d) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years.

(e) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on such bond shall be paid by the watershed conservation district.

SECTION 9. District to be corporate body—powers and duties.—The watershed conservation district shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the board of supervisors, have the following powers, in addition to others granted in other sections of this act:

(a) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(b) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(c) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district, and if promissory notes are issued, to execute such mortgages on any property

owned by the district, or assign or pledge such revenues or assessments of the district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 10 of this act;

(d) To levy an annual tax on the real property within the district subject to the limitations as provided in Section 12 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the board of supervisors of the soil conservation district, by notifying the county auditor.

SECTION 10. Bonds not to be issued unless referendum held.

—(a) Bonds authorized by Section 9 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 12 of this act. A copy of the order or resolution shall be certified to the board of supervisors of the soil conservation district.

(b) The board of supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the board of supervisors.

(c) The same provisions as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(d) If two-thirds of the votes cast in the referendum favor the proposal, the directors shall, with the approval of the board of supervisors, be authorized to issue the bonds.

SECTION 11. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties, as approved by the board of supervisors of the soil conservation district.

SECTION 12. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district

shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the board of supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 10 of this act. A copy of the budget shall be certified to the Auditor of Florence County.

SECTION 13. List of landowners and acres subject to assessment.—(a) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners in each county involved showing the number of acres subject to assessment.

(b) When the property tax rolls are delivered to the county treasurer by the auditor, as required by law, the treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 14. Collection of taxes.—(a) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(b) Such taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 15. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of the funds shall be made by the directors of the watershed conservation district with the approval of the board of supervisors of the soil conservation district.

SECTION 16. Petition to have lands detached.—The owner or owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition

the board of supervisors of the soil conservation district to have such lands detached. The petition shall describe the lands and state the reasons why they should be detached. A hearing shall be held by the board of supervisors within thirty days after the petition is filed. Due notice of such hearing shall be given by the board of supervisors. If it is determined by the board of supervisors that the lands should be detached, its determination shall be certified to the Auditor of Florence County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 17. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(a) At any time after five years after the organization of the watershed conservation district, twenty-five or more landowners within the district, or if less than fifty landowners are involved, a majority of the landowners, may file a petition with the board of supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The board of supervisors may conduct such hearings upon the petition as may be necessary to assist it in the consideration thereof.

(b) Within sixty days after the petition has been filed with the board of supervisors it shall give due notice of the holding of a referendum. The board of supervisors shall hold such referendum substantially as provided for in Section 10 of this act. The question shall be submitted by ballots upon which the words “For terminating the existence of the Coward Watershed Conservation District” and “Against terminating the existence of the Coward Watershed Conservation District” shall be printed, with a square before each proposition and a direction to insert an “X” mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of the watershed conservation district. All landowners within the watershed conservation district shall be eligible to vote in the referendum. Only landowners shall be eligible to vote. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice thereof shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(c) The board of supervisors shall publish the results of the referendum and shall thereafter determine whether the continued opera-

tion of the watershed conservation district is administratively practicable and feasible. If the board of supervisors determines that the continued operation of the watershed conservation district is administratively practicable and feasible, it shall record such determination and deny the petition. If the board of supervisors determines that the continued operation of the watershed conservation district is not administratively practicable and feasible, it shall record such determination and shall certify its determination to the directors of the watershed conservation district; *provided*, the board of supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(d) Upon receipt from the board of supervisors of a certification that it has determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Florence County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee and the Secretary of State.

SECTION 18. Supervisory authority if district discontinued.—

If any soil conservation district in which any part of a watershed conservation district is situated is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the board of supervisors of such soil conservation district shall thereafter be exercised by the governing body of Florence County.

SECTION 19. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

An Act To Make Appropriations For Ordinary County Purposes For Florence County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963; To Provide For The Ex-

penditure Thereof; And To Levy A Tax For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following sums of money are hereby appropriated for the purposes herein set forth for the County of Florence for the period beginning July 1, 1962, and ending June 30, 1963, inclusive, and the Auditor of Florence County is hereby authorized to levy, and the Treasurer to collect, for the calendar year 1962 upon all the taxable property in the county a tax of sixteen and one-half mills to defray the same:

Item 1. Roads, Bridges and Chain Gang:

(a) Gasoline, fuel, fuel oil, oil and grease	\$ 30,000.00
(b) Labor	74,113.82
(c) Food and Clothing	65,000.00
(d) Supplies, lumber, hardware, repairs, electricity, telephone and incidentals	30,000.00
(e) Hospitalization, drugs, medicines, special med- ical treatment and veterinarian	2,500.00
(f) County Physician	2,400.00
<i>Provided</i> , the county physician shall be one of the examining physicians in all lunacy examina- tions conducted in Florence County.	
(g) Custodian of the records of the county chain gang to be assigned such other duties as the county legislative delegation may desire per- formed	2,640.00
<i>Provided</i> , that all payments from items (a) through (g), inclusive, shall be made by vouch- er and not by cash.	
(h) Repairs to Equipment	72,000.00
(i) Pipe for bridges	25,000.00
(j) New Equipment	30,970.00
(k) Cold patch materials	2,000.00

Total, Item 1\$336,623.82

Item 2. Governing Board:

(a) Chairman, Governing Board	\$ 2,400.00
(b) Six members, Governing Board	12,000.00

Provided, that the Commissioners are authorized and requested to assist the County Manager in maintaining the county roads and in constructing and in paving farm-to-market roads in their respective districts.

(c) Expenses and mileage, Governing Board, seven members @ \$75.00 per month	6,300.00
(d) Clerk to Board	3,600.00
(e) Asst. Clerk to Board	3,400.00
(f) County Manager	7,700.00
(g) County Attorney	2,200.00
(h) Courthouse, heat, lights, etc.	10,000.00
(i) Courthouse Janitor	2,880.00
(j) Printing and Postage	6,800.00
(k) Premium on Bonds	1,000.00

Provided, that each magistrate, constable and deputy sheriff shall give a surety bond in the penal sum of not less than one thousand dollars, said undertakings to be approved by the governing board of the county, cost of the bonds to be borne by the above item of one thousand dollars.

(l) Miscellaneous Funds	6,800.00
(m) Secretary for Legislative Delegation	1,650.00
(n) Social Security—Administration	14,000.00
(o) S. C. Retirement System	14,000.00
(p) Office expense, Florence Magistrate	400.00
(q) Delegation office expense	200.00

Total, Item 2\$ 95,330.00

Item 3. Sheriff's Office:

(a) Sheriff, salary	\$ 7,700.00
<i>Provided</i> , that the deputies serving any civil process shall receive mileage fees paid therefor by parties securing service.	
(b) Radio Equipment and maintenance, Sheriff's Office	650.00
(c) Expansion and extension of Civil Defense Law Enforcement Network	1,100.00
(d) Eight deputy Sheriffs @ \$275.00 each per month	26,400.00

(e) Travel expense, eight deputies @ \$200 per month		19,200.00
(f) Fingerprint Deputy		2,280.00
<i>Provided</i> , he shall be under the control of the Sheriff of Florence County and the Chief of Police for the City of Florence.		
(g) Clerk to Sheriff		3,000.00
(h) Office expense for Sheriff		600.00
(i) Radio Repairman		1,050.00
Total, Item 3		\$ 61,980.00
Item 4. Treasurer's Office:		
(a) Treasurer, Salary		\$ 3,630.00
<i>Provided</i> , that in addition thereto the Treasurer shall be entitled to fifty per cent of all monies received on account of tax executions.		
(b) Treasurer's Clerks (2)		5,700.00
(c) Expenses, mailing tax notices		3,600.00
(d) Interest, Past Indenture Bonds		8,140.00
(e) Interest, Courthouse Bonds		200.00
(f) Courthouse Bonds		3,000.00
Total, Item 4		\$ 24,270.00
Item 5. Magistrates:		
Magistrate—Florence		\$ 4,290.00
Clerk to Magistrate—Florence		3,000.00
Magistrate—Timmons ville		2,750.00
Magistrate—Lake City		2,750.00
Clerk to Magistrate—Lake City		2,002.00
Magistrate—Pee Dee and Hannah		1,342.00
Magistrate—Evergreen		1,980.00
Magistrate—Olanta		2,750.00
Magistrate—Johnsonville		1,980.00
Magistrate—Pamplico		1,980.00
Magistrate—Coward		1,650.00
Total, Item 5		\$ 26,474.00
Item 6. Constables:		
Two Constables—Florence		\$ 6,600.00
Constable—Timmons ville		2,750.00

Constable—Pamplico	1,980.00
Constable—Olanta	2,750.00
Constable—Lake City	2,750.00
Constable—Evergreen	1,980.00
Constable—Johnsonville	1,980.00
Constable—Pee Dee and Hannah	1,342.00
Constable—Coward	1,650.00
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Total, Item 6	\$ 23,782.00
Item 7. Coroner's Office:	
(a) Coroner, salary	\$ 2,400.00
(b) Stenographic assistance, travel expenses to Coroner	1,980.00
(c) Coroner's expense for performance of autopsies only	1,000.00
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Total, Item 7	\$ 5,380.00
Item 8. Judge of Probate's Office:	
(a) Judge of Probate—Lunacy examinations and Juvenile cases	\$ 1,800.00
(b) Clerk to Judge of Probate	3,346.50
(c) Juvenile Court Case Worker	2,841.00
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Total, Item 8	\$ 7,987.50
Item 9. Auditor's Office:	
(a) Auditor, salary	\$ 3,630.00
(b) Auditor, travel	300.00
(c) Assistant Auditor	3,102.00
(d) Chief Clerk	2,838.00
(e) Clerk	2,310.00
(f) Extra Clerical Help	2,100.00
(g) County Board of Equalization (\$10.00 per diem for each member)	4,000.00
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Total, Item 9	\$ 18,280.00
Item 10. County Jail:	
(a) County Jailer	\$ 3,130.00
(b) Assistant County Jailer	3,267.00
(c) Jail—Dieting Prisoners	10,000.00
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Total, Item 10	\$ 16,397.00

Item 11. County Agent's Office:

(a) County Agent, salary supplement	\$ 1,200.00
(b) Assistant County Agents—three @ \$360, salary supplement	1,080.00
(c) County Agent—for promotion of Pee Dee Farmarama	500.00
(d) Home Demonstration Agent, salary supplement	350.00
(e) Home Demonstration Agent, telephone	125.00
(f) Home Demonstration Agent, supplies	250.00
(g) Assistant Home Demonstration Agent, salary ..	2,640.00
(h) 4-H Club Work	200.00
(i) J.H.A. (Junior Homemakers)	200.00
(j) Negro Agricultural Agent, salary supplement ..	462.00
(k) Assistant Negro Agricultural Agent, salary supplement	360.00
(l) Negro Agricultural Agent, demonstrational materials	50.00
(m) Negro Home Demonstration Agent, salary supplement	792.00
(n) Assistant Negro Home Demonstration Agent, salary	2,400.00
(o) Secretary to serve four Negro County Agents, salary	1,800.00
(p) 4-H Club activities—Negro Agricultural Agent ..	200.00
(q) Negro Home Demonstration Agent, demonstration materials and telephone	274.76
(r) Agricultural Building, expense	3,000.00
<i>Provided, the rents from the Agricultural Building to be applied on maintenance.</i>	
(s) City-Council Agricultural Commission, Inc. ...	2,000.00
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Total, Item 11	\$ 17,883.76

Item 12. Charities:

(a) Public Welfare Board, Florence County	\$ 8,120.00
(b) Charity Hospital Cases	24,000.00
<i>Provided, that this amount shall be apportioned and disbursed in twelve monthly installments not to exceed two thousand dollars per installment.</i>	

Provided, further, that none of these funds shall be expended on cases outside of Florence County.

(c) Medicine for charity cases to be disbursed upon recommendation of attending physician	2,500.00
(d) Salvation Army	1,500.00
(e) Foster Children's Home	5,000.00
(f) Foster Home, Negro Children	4,000.00
(g) Repairs and maintenance—Negro Foster Home	1,000.00
(h) Needy Orphan Children	1,980.00

Total, Item 12 \$ 48,100.00

Item 13. (a) County Health Department \$ 54,102.00

Provided, this item is to be paid in monthly payments according to a schedule to be filed by the County Health Director, and approved by the Senator and a majority of the Legislative Delegation, in the office of the Governing Board.

Provided, that the County Health Director shall act with the County Physician in all lunacy examinations and shall administer and give all smallpox vaccinations and anti-typhoid serum, in addition to all general duties of the County Health Director.

Provided, further, that \$2,000 of this sum shall be utilized for out-patient treatment of T.B. patients.

Provided, further, that one public health nurse shall be assigned to the Health Center at Johnsonville upon its completion.

(b) Mental Health Clinic	15,238.33
<i>Provided</i> , that matching funds are supplied by the State of South Carolina, the Federal Government and Darlington County on the same ratio as in the past in an amount sufficient to demand this expenditure.	
(c) Health Clinic—Pamplico	350.00
(d) Maintenance and operation of Florence Health Center	6,000.00

(e) Maintenance and operation of Lake City Health Center	2,000.00
Total, Item 13	\$ 77,690.33
Item 14. National Guard Units:	
(a) Lake City National Guard	\$ 1,200.00
(b) Florence National Guard	1,400.00
(c) Florence National Guard—maintenance	500.00
(d) Timmons ville National Guard	900.00
(e) Timmons ville National Guard—repairs to kitchen	1,500.00
Total, Item 14	\$ 5,500.00
Item 15. Courts:	
(a) Civil Court of Florence—jurors and expenses ..	\$ 10,000.00
(b) Civil Court Stenographer	3,904.00
(c) Contingent Fund for Civil Court	200.00
(d) Jurors and Witnesses, Circuit Court	16,000.00
(e) Expenses, Stenographer, Court of Common Pleas and General Sessions	400.00
(f) Vital Statistics	1,125.00
<i>Provided, that the Clerk of Court shall receive from those applying for birth and death certificates the sum of fifty cents each as compensation for indexing and furnishing birth and death certificates.</i>	
(g) Master in Equity	6,000.00
(h) Clerk	2,400.00
<i>Provided, that the Master shall collect the fees and costs as now provided for, keep an account of all fees and costs, and on or before the tenth day of each calendar month he shall deliver an itemized statement of such collection to the County Treasurer, together with the payment to the Treasurer of fifty per cent of all fees collected during the preceding calendar month.</i>	
(i) Probation Officer	330.00
(j) Clerk to Probation Officer	330.00
(k) Phone for Probation Officer	103.20
(l) Expenses, Resident Circuit Judge	1,500.00

(m)	Clerk—Resident Circuit Judge—Florence	
	County share	1,260.00
(n)	Maintenance of County Law Library	1,224.50
(o)	Florence County's share—equipment for Circuit	
	Court stenographer, if so much be necessary ..	700.00
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	Total, Item 15	\$ 45,476.70
Item 16.	Secretary, County Service Officer	\$ 1,760.00
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	Total, Item 16	\$ 1,760.00
Item 17.	Expenses, County Service Officer	\$ 400.00
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	Total, Item 17	\$ 400.00
Item 18.	Election Commission	\$ 450.00
	<i>Provided</i> , this sum is to be paid for expenses and mileage and is to be paid quarterly.	
		<hr/>
	Total, Item 18	\$ 450.00
Item 19.	Florence County Higher Education Commission	\$ 11,458.00
	<i>Provided</i> , however, that the sum of \$8,000 be made available immediately for operation of the University of South Carolina at Florence during the remainder of the 1961-1962 fiscal year.	
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	Total, Item 19	\$ 11,458.00
Item 20.	Florence County Historical Commission	\$ 7,500.00
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	Total, Item 20	\$ 7,500.00
Item 21.	County Recreation Department:	
(a)	Director's Salary	\$ 5,280.00
(b)	Director's Travel	1,200.00
(c)	Office Expense and Postage	310.00
(d)	Officiating	125.00
(e)	Program Supplies	1,500.00
(f)	Program Activities	2,000.00
(g)	Contingent Fund	65.00
(h)	Maintenance and construction of lighting facilities	850.00
(i)	Summer helper	650.00
(j)	Summer helper—travel	100.00
		<hr/>
	Total, Item 21	\$ 12,080.00

Item 22. Insurance on County Employees	\$ 3,200.00
Total, Item 22	\$ 3,200.00
Item 23. Insurance on County Buildings	\$ 1,000.00
Total, Item 23	\$ 1,000.00
Item 24. Workmen's Compensation Premiums	\$ 2,900.00
Total, Item 24	\$ 2,900.00
Item 25. Annual Audit of County	\$ 2,750.00
Total, Item 25	\$ 2,750.00
Item 26. Expenses for County Game Wardens	\$ 1,200.00
<i>Provided</i> , that the same be disbursed at the rate of \$50.00 per month each for the Game Wardens at Johnsonville and Olanta.	
Total, Item 26	\$ 1,200.00
Item 27. County Ranger	\$ 300.00
Total, Item 27	\$ 300.00
Item 28. Lake City Rescue Squad	\$ 700.00
Total, Item 28	\$ 700.00
Item 29. Florence County Registration Board	\$ 1,000.00
Total, Item 29	\$ 1,000.00
Item 30. Civil Defense Director—Federal matching funds	\$ 5,000.00
<i>Provided</i> , that the Director shall receive a salary of \$6,000 and that the same shall be pro rata shared by the existing State Civil Defense Agency.	
Civil Defense Director—Travel	900.00
Contingent Fund for purchase of Civil Defense equipment	1,000.00
Total, Item 30	\$ 6,900.00

Item 31. Lower Florence County Hospital District\$100,000.00

Total, Item 31\$100,000.00

GRAND TOTAL\$964,753.11

SECTION 2. The Treasurer of Florence County is hereby authorized, empowered and directed to pay the funds hereinabove appropriated out of any available funds in hand or that may be collected.

SECTION 3. Such officers of the County of Florence as are charged with the expenditure or disbursement of the above appropriations shall state upon each warrant drawn upon the county treasurer the item in the Appropriations Act on account of which the warrant shall have been drawn, and such disbursing officer shall not draw his warrant upon the county treasurer in any amounts singly or in the aggregate for more than has been appropriated for the specific purpose for which the warrant is drawn, except upon the written consent of all of the legislative delegation, and no warrant paid by the county treasurer shall be allowed as a credit to him in his settlement unless it conforms with the above requirements; *provided*, the Governing Board of Florence County is hereby authorized to borrow the funds hereinabove appropriated and pledge therefor the taxes to be collected for 1962. *Provided*, further, that upon any matter which the Governing Board of Florence County is required to act in connection with the county's business and affairs a majority of the board shall be sufficient.

SECTION 4. The governing board shall award this loan to the lowest bona fide bidder, advertising for open bids in one or more newspapers published in Florence County at least ten days prior to awarding bids, and at the same time notify each bank in Florence County in writing the terms and conditions under which the bids are received. The proceeds of this loan shall be deposited with the successful bidder; *provided*, the successful bidder is an incorporated bank within the County of Florence, South Carolina; *provided*, further, that before depositing any funds of the county in any bank or banks, such bank or banks shall secure the safe deposit of such funds by depositing with the county treasurer a trust receipt certifying that securities to the amount of such deposit or deposits have been duly set aside in some bank or trust company to be approved

by the county board and are being held in trust for the County of Florence to secure such deposit. *Provided*, further, that securities shall be bonds or obligations issued by the United States of America, the State of South Carolina, or some political or governmental subdivision thereof, either or both, or Federal Land Bank, or Joint Stock Land Banks, or Home Owners' Loan Bonds; *provided*, further, that the deposit so made and secured shall remain with the bank or banks receiving it until used for the purpose for which it was borrowed, and all other funds of the county not already pledged shall be deposited with such successful bidder or bidders.

SECTION 5. All road machinery, plows, equipment, and supplies to be purchased by the County of Florence from the funds herein appropriated shall be bought for the most economical price from the State Purchasing Agent or the State Highway Department, or upon competitive sealed bids, after two weeks' advertisement for such bids in some newspaper best circulated to give notice to the trade, which advertisement shall designate the time and place at which the bids will be opened, and the said bids shall be publicly opened at the time and place designated in the advertisement. *Provided*, further, that each member of the county delegation shall be notified by letter of the time and place of opening bids publicly.

SECTION 6. No purchase shall be made for Florence County of any kind whatsoever from any members of the governing board or legislative delegation, or any relative of any member of the governing board or legislative delegation within the sixth degree, nor shall any member of the governing board or legislative delegation, or person related to a member of the governing board or legislative delegation within the sixth degree, enter into any contract by or with the County of Florence.

SECTION 7. The Clerk of Court for Florence County shall record all tax titles made to the Forfeited Land Commission for Florence County from the delinquent tax collector, and the auditor of the county shall record the transfer thereof without charge in part consideration of the compensation now received by these officers.

SECTION 8. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R880, S596)

No. 1099**An Act To Authorize And Direct The Board Of Commissioners Of Georgetown County To Convey To The State Educational Finance Commission Certain Land In The City Of Georgetown.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Georgetown County to convey certain property to State Educational Finance Commission.—The Board of Commissioners of Georgetown County is hereby authorized and directed to convey, upon receipt of the purchase price of five thousand dollars, to the State Educational Finance Commission that certain five acre tract of land situate in the City of Georgetown, more specifically described by the topographic map dated October 1961 prepared by Samuel M. Harper, R. L. S., and recorded in the office of the Clerk of Court of Georgetown County in Plat Book at page . . .

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R891, H2185)

No. 1100**An Act To Authorize A Refund To The Oneita Knitting Mills, Andrews, South Carolina, For The Sum Of Six Hundred Sixty-Six Dollars Representing An Overpayment Of Taxes For The Year 1960.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Georgetown County to refund taxes to Oneita Knitting Mills.—The Treasurer of Georgetown County is hereby authorized to pay to the Oneita Knitting Mills, Andrews, South Carolina, the sum of six hundred sixty-six dollars from the general fund of Georgetown County which is a refund for an overpayment of taxes paid the county by the Oneita Knitting Mills for the year 1960.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R1057, H2447)

No. 1101**An Act To Extend The Shad Fishing Season In Georgetown County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Georgetown County—shad season extended.—The shad fishing season in Georgetown County is extended from March 25, 1962, through April 18, 1962, below the forty mile limit.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1138, H2477)

No. 1102

An Act To Provide For The Levy Of Taxes For Schools, Roads And Other County Purposes In Georgetown County For The Fiscal Year Beginning July 1, 1962, Through June 30, 1963, And For The Expenditure Thereof And To Restrict Use Of Certain Fishing Equipment On Pawley's Island, And To Set Limit Of Certain Waters In The County, And Other Fiscal Affairs Of The County, And To Repeal Section 65-3522, Code Of Laws Of South Carolina, 1952, Relating To Penalties On Unpaid Taxes In Georgetown County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. In order to provide the sums appropriated herein for the respective purposes, hereinafter mentioned, there is hereby levied upon all the taxable property in Georgetown County for the fiscal year beginning July 1, 1962, and ending June 30, 1963, such number of mills as may be necessary for the purpose of paying the sums herein set out. The county auditor shall make such levy, with the approval of a majority of the legislative delegation from the county. In the event, however, of the death or resignation of any one or more members of the legislative delegation, the survivor or survivors shall have the right and power to execute such order.

Roads and Bridges	\$120,000.00
Clerk of Court, Salary	7,000.00

Deputy Clerk of Court, Salary	3,600.00
Clerk to Clerk of Court, Salary	3,000.00
Clerk to Clerk of Court, Salary	990.00
Sheriff, Salary	7,000.00
Sheriff, Travel Allowance	2,722.50
Deputy Sheriffs, Salaries	35,565.00
Deputy Sheriffs, Travel Allowance	21,575.00
For use by Sheriff for Investigating Purposes	1,500.00
Clerk to Sheriff, Salary	3,600.00
Jailor	3,900.00
Assistant Jailor and Radio Operator	3,000.00
Treasurer, sufficient with amount paid by State to total \$7,000.00.	
Clerk to Treasurer, Salary	3,600.00
Clerk to Treasurer, Salary	3,200.00
Part-time Clerk to Treasurer	550.00
Auditor, sufficient with amount paid by State to total \$7,000.00.	
Tax Assessor, Salary	4,200.00
Tax Assessor, Mileage	1,320.00
Clerk to Auditor, Salary	3,600.00
Tax Accounting Clerk	3,600.00
Clerk to Auditor and Treasurer, Salary	3,000.00
County Commissioners, per diem and mileage	1,500.00
Chairman, Board of Commissioners, Salary	3,000.00
County Service Officer, Salary	4,500.00
County Service Officer, Travel	1,100.00
Clerk to Service Officer, Salary	3,600.00
Coroner, Travel	699.60
Attorney	1,000.00
Judge of Probate, Salary	6,000.00
Deputy Judge of Probate and Clerk	3,600.00
Clerk	3,000.00
Magistrate, Georgetown, Salary	4,190.00
Magistrate, Andrews, Salary	1,650.00
Constable, Andrews, Salary	600.00
Magistrate, Nos. 5 and 6 Townships, Salary	1,650.00
Constable, Nos. 5 and 6 Townships, Salary	600.00
Magistrate, Pawley's Island, Salary	1,320.00
Constable, Pawley's Island, Salary	600.00

Magistrate, Murrels Inlet, Salary	1,320.00
Constable, Murrels Inlet, Salary	600.00
Tax Commission and Board of Appeals	1,200.00
Jail Expenses	12,000.00
Jurors and Witnesses	5,000.00
Emergency Funds, Dept. of Public Welfare	2,500.00
Poor	5,000.00
Administrative Expenses, Dept. of Public Welfare..	1,500.00
Post Mortems, Inquests and Lunacies	1,000.00
Public Buildings	20,000.00
Printing, Postage and Stationery	8,000.00
County Health Department	11,564.00
County Library	12,300.00
Bonding County Officers	1,200.00
Vital Statistics	400.00
Telephone and Telegraph	2,000.00
Special Contingent	25,000.00
Georgetown County Planning and Development Commission	15,000.00
County Home Dem. Agent, Col., Travel	825.00
Clerk to County Home Dem. Agent, Col.	1,050.00
Workmen's Compensation Insurance	2,000.00
Retirement Fund and Social Security	12,000.00
Hq and Hq Btry., 4th Rkt.-How. 178th Arty, BN, Georgetown	750.00
A Btry., 4th Rkt.-How. 178th Arty. BN, Andrews.	750.00
B Btry., Rkt.-How. 178th Arty. BN Georgetown..	750.00
Chairman, Board of Registration, Salary	2,000.00
Clerk, Board of Registration, Salary	600.00
Radio Maintenance	1,500.00
Assistant Health Inspector	1,675.00
The County Health Office	300.00

SECTION 2. The deputy sheriffs shall devote their entire time to the duties of the office and shall work under the direction of, and be employed by the sheriff of the county, and shall keep daily records of their work and file same monthly in the sheriff's office.

SECTION 3. The sheriff of the county shall be allowed one dollar per day each for dieting prisoners and he shall furnish them good, wholesome food.

SECTION 4. The sheriff of the county shall work one of his deputies on Pawley's Island and Waccamaw Neck.

SECTION 5. The Senator and members of the House of Representatives from Georgetown County are hereby authorized and empowered to have a complete and thorough examination of the books and doings of all county officers of Georgetown County at least once each year, and, if they deem it necessary at any time, for the best interest of the county, that any office or officers should be investigated oftener than the regular annual investigation and auditing, they are hereby authorized and empowered, and directed to contract with such certified accountant or accountants as they may deem competent and qualified at such salary, or compensation as they may fix, the same to be paid out of the funds herein appropriated for miscellaneous contingent.

SECTION 6. The special contingent fund provided for in this act shall not be expended except upon the written order of the Senator and members of the House of Representatives from Georgetown County. In the event, however, of the death or resignation of any one or more of the members of the delegation the survivors shall have the right to execute any such order.

SECTION 7. It shall be unlawful for any person to gig for fish in salt waters from the northern tip of North Island to the northern tip of Magnolia Beach, during the daylight hours. Any person violating the provisions of this section, upon conviction, shall be punished by a fine of not more than one hundred dollars or imprisoned for not more than thirty days.

SECTION 8. Necessary medical service for the chain gang and other prisoners shall be provided by the board of county commissioners and charged to the proper account.

SECTION 9. The board of county commissioners shall employ janitors for the courthouse and other county offices and fix their duties. The janitors shall hold their positions and work under the direction of the board.

SECTION 10. All fees, fines and monies not otherwise provided shall go into the general county fund and show in detail by the officer or officers receiving such monies in their annual statement to the members of the legislative delegation.

SECTION 11. All salaries shall be paid in equal semimonthly installments at the middle and end of each calendar month. *Provided*, that no officer or person shall be paid for any transportation in addition to the mileage now allowed by law and the legal per diem expense now provided by law.

SECTION 12. Jurors serving in circuit courts in Georgetown County in this State shall, in addition to mileage at the rate of seven cents per mile going to and from court, receive a per diem of five dollars.

SECTION 13. Whenever warrants are drawn in the county commissioner's office or the office of the board of education on the county treasurer, a duplicate of such warrant shall be furnished the county treasurer at once. No warrant shall be honored by the county treasurer unless he is in possession of such duplicate and the same is duly itemized and shows for what issued.

SECTION 14. There shall be no hauling of seines or nets, either by hand or from boats, within one-half mile of any fishing pier on Pawley's Island.

SECTION 15. The forty-mile limit of Black River in Georgetown County is hereby declared to be at the mouth of Lane's Creek, and the forty-mile limit on Big Pee Dee River is hereby declared to be at the old ferry landing near Yauhannah Lake.

SECTION 16. The county board of education may sell and convey properties in Georgetown rural areas, abandoned for school purposes, for other properties; *provided*, those properties belonging to the county board do not have a value of more than two thousand dollars.

SECTION 17. The county board of commissioners is hereby authorized to employ a suitable individual as airport manager for the county airport who shall receive no salary for the services. The airport manager shall be the liaison between the county board of commissioners and any person who shall lease or operate the airport.

SECTION 18. The county attorney shall render assistance and represent the Sheriff's office when requested in all cases before Magistrates in Georgetown County at no additional cost to the county. He shall not engage in any litigation or represent any interest contrary to Georgetown County or any agency or department thereof.

SECTION 19. Of the amount appropriated for Roads and Bridges in Section 1, the sum of ten thousand dollars shall be utilized and expended by the Drainage Commission for Georgetown County for drainage purposes.

SECTION 20. The Board of Education shall have the right to select and employ a competent attorney of its choice to represent it in all matters.

SECTION 21. The chairman of the Board of Registration shall be present and shall personally supervise the issuance of all registration certificates during those times that the registration books are open, as required by law, in the City of Georgetown.

SECTION 22. Section 65-3522, Code of Laws of South Carolina, 1952, relating to penalties on unpaid taxes in Georgetown County, is hereby repealed.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1214, H2392)

No. 1103

An Act To Authorize Georgetown County To Deed Certain Property To The City Of Andrews In Exchange For The Lot Upon Which City Hall Is Situate In The City Of Andrews.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Georgetown County Board of Education may convey property.—The Georgetown County Board of Education is hereby authorized to deed to the City of Andrews the following real property upon which is situate a school building in the City of Andrews described and delineated upon a plat made by the Rosemary Land Association and recorded in the office of the Clerk of Court of Georgetown County as follows :

Block No. 42 containing twelve lots is bounded on the north by Main Street; on the east by Cedar Street; on the south by Elmwood Street and on the west by Hazel Street.

SECTION 2. City of Andrews may convey property.—In exchange for the property described and delineated in Section 1 of this act herein authorized to be deeded by Georgetown County to the City of Andrews, the City of Andrews by the Mayor and City Council is authorized to deed to Georgetown County the lot upon which city hall is situate on Main Street in the City of Andrews and all buildings and appurtenances located thereon.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R803, H2215)

No. 1104

An Act To Authorize The County Board Of Commissioners Of Greenville County To Issue Not Exceeding One Hundred Thousand Dollars Of General Obligation Bonds Of Greenville Memorial Auditorium District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Such Proceeds May Be Expended; And To Make Provision For The Payment Of The Principal And Interest Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the constantly increasing use of the public auditorium heretofore constructed by the Greenville Memorial Auditorium District, in Greenville County, which is operated by The Board of Trustees of the Greenville Memorial Auditorium District (hereafter called the "trustees") is such that additional adjacent land is required for vehicular parking. It has therefore determined to authorize the acquisition of adjacent land and its improvement for vehicular parking through an expenditure of not exceeding one hundred thousand dollars to be raised through the issuance of the bonds authorized by this act.

SECTION 2. Use of proceeds.—The trustees are hereby authorized and empowered, with the proceeds of the bonds hereafter to be available to them, to acquire and improve lands near or adjacent to the Greenville Memorial Auditorium, and to pave and otherwise

improve the same for vehicular parking. Such parking area shall be used in such manner and under such conditions as the trustees shall from time to time prescribe by resolution.

SECTION 3. Bond issue authorized.—In order to provide funds for the aforesaid purpose, the County Board of Commissioners of Greenville County, (hereafter called "the county board"), is hereby authorized and empowered, upon the written request of the trustees (or a majority thereof), to issue such amount of bonds of Greenville Memorial Auditorium District, not exceeding one hundred thousand dollars, as may, on the occasion of their issuance, be within the constitutional debt limit applicable to the district.

SECTION 4. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or installments as the county board shall provide for, except that the first maturing bonds shall mature not later than two years from the date as of which they shall be issued, not less than three per cent shall mature in any year, and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

SECTION 5. Redemptions.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Greenville County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the county board shall prescribe.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the county board.

SECTION 9. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the county board shall, by resolution, prescribe.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale after advertisement of the sale in a newspaper of general circulation in South Carolina, which published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of the bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Greenville Memorial Auditorium District shall be irrevocably pledged, and there shall be levied annually by the Auditor of Greenville County, and collected by the Treasurer of Greenville County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the district, sufficient to pay the principal of and interest on such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 13. Proceeds further.—The proceeds derived from the sale of the bonds shall be paid to the Treasurer of Greenville County, to be deposited in a Bond Account Fund for the Greenville Memorial Auditorium District, and shall be expended and made use of as follows:

- (a) All accrued interest shall be applied to the payment of the first instalment of interest to become due on the bonds.
- (b) Any premium received upon the sale of the bonds shall be applied to the payment of the first instalment of principal of such bonds.
- (c) The remaining proceeds shall be used upon the warrant or order of the trustees to defray the cost of issuing the bonds authorized hereby, and to pay costs to be incurred in acquir-

ing and improving land near or adjacent to the Greenville Memorial Auditorium building to be used for vehicular parking.

- (d) If any balance remain, the same shall be held by the Treasurer of Greenville County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 14. Powers of board.—The powers and authorizations hereby conferred upon the county board and the trustees shall be in addition to all other powers and authorizations previously vested in them, and may be exercised by action taken at regular or special meetings. The compliance with the provisions of this act shall constitute all action necessary to effect the valid issuance and delivery of the bonds authorized hereunder.

SECTION 15. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1962.

(R813, H2318)

No. 1105

An Act To Authorize The Board Of Trustees Of The School District Of Greenville County To Borrow Not Exceeding Two Hundred And Fifty Thousand Dollars For The Purpose Of Supplementing Available Funds In Order To Provide The Funds Necessary For The Construction Of A New Berea High School, And To Provide For The Payment Thereof Without Increasing The Present Tax Levy Of Four Mills For Bond Indebtedness And School Notes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School District of Greenville County may borrow money.—The Board of Trustees of the School District of Greenville County is authorized to borrow on the credit of the district not exceeding two hundred and fifty thousand dollars to be used in the construction of a New Berea High School. The indebtedness shall be evidenced by a note or notes in the name of the School Dis-

tract of Greenville County signed by the Chairman of the Board of Trustees of the School District of Greenville County, attested by the secretary of the board, under the seal of the board, and shall bear interest at a rate not to exceed four per cent per annum. The note or notes and any renewals thereof shall mature in not exceeding three years from the original date or dates thereof. The notes, otherwise, shall be in usual form.

SECTION 2. Payment.—For the payment of the note or notes and interest, as they mature, the Auditor of Greenville County is authorized to continue to levy, and the Treasurer to collect, the present four mills tax levy to pay for school bonds. All surplus funds now in the Bond Account of the School District of Greenville County and all other surplus funds that accrue to this account are hereby irrevocably pledged for the payment of the loan authorized by this act. In addition, of the monies from the State Educational Finance Commission to which the district will become entitled in the fiscal years 1963-1964 and 1964-1965, so much as may be necessary will be added to the surplus funds in the bond account to pay the principal and interest falling due in either or both of those years.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1962.

(R821, H2214)

No. 1106

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Increase The Limitation Upon The Bonded Indebtedness Of The School District Of Greenville County, And To Eliminate Consideration Of Such Indebtedness As To Other Political Entities Covering The Same Territory.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of School District of Greenville County.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end

of the section the following: "*Provided*, that the limitations imposed by Section 5 of Article X are removed for the School District of Greenville County and such district may impose a bonded indebtedness not exceeding twenty per cent of the assessed value of the taxable property in the district. The bonded indebtedness of the School District of Greenville County shall not be considered in determining the power to incur bonded indebtedness by Greenville County or by any political subdivision of Greenville County or of the State wholly covering or partially extending over the territory of the School District of Greenville County."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended, so as to permit the increase of the bonded indebtedness of the School District of Greenville County not to exceed twenty per cent of the assessed value of the taxable property in the district, and to eliminate consideration of such indebtedness as to other political entities covering the same territory?"

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall cast a ballot using a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall cast a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

(R824, H2323)

No. 1107

An Act To Authorize And Empower Berea Water And Sewer District Commission In Greenville County To Issue Not Exceeding Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Upon Which The Bonds May Be Issued And Their Proceeds Expended, And To Provide A Tax Levy For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that Berea Water and Sewer District was duly cre-

ated by Act No. 848 of the Acts of 1954, and is now comprised of the territory described in that act. The district as originally created was empowered to incur indebtedness in the aggregate principal amount of not exceeding three hundred fifty thousand dollars if the election required by the act resulted favorably. An election was held on the issuance of not exceeding three hundred fifty thousand dollars of bonds which resulted favorably to the issuance of the bonds, and bonds in that amount were issued and their proceeds applied to the establishment of a water system and a sewer system in the district.

SECTION 2. Findings further.—The General Assembly further finds that growth within the district requires additional water distribution facilities and a system for fire protection, and on the basis of that finding had determined to empower Berea Water and Sewer District Commission to undertake the extension of the water distribution facilities and the providing of a system for fire protection, and to borrow not exceeding two hundred fifty thousand dollars for these purposes.

SECTION 3. Berea Water and Sewer District may issue bonds.

—In order to provide funds for the extension of the water distribution facilities and the providing of a system for fire protection within the district, Berea Water and Sewer District Commission may issue, either as a single issue, or from time to time as several separate issues, not exceeding two hundred fifty thousand dollars of general obligation bonds of Berea Water and Sewer District.

SECTION 4. Dates — maturity — interest — redemption.—

The bonds shall bear such date or dates as the Berea Water and Sewer District Commission shall determine and any issue or series thereof shall mature in such equal or unequal annual installments as may be determined by the commission, except that the first maturing bonds of any issue or series shall mature not later than three years from their date of issue and the last maturing bonds of any issue or series shall mature not later than twenty-five years from their date of issue. They shall be made payable at such place or places as the commission shall prescribe and shall bear interest at such rate or rates, payable semiannually, as the successful bidder at any sale thereof shall name; *provided*, that no rate of interest borne by any bond shall be in excess of five per cent. The bonds may be issued with the privilege to the holder of having them registered as

to principal by the Treasurer of Greenville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commission may prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the commission shall prescribe.

SECTION 5. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries and may be sold at public or private sale in the discretion of the commission. In the event of public sale, notice shall be advertised by at least one publication in *The Greenville News* and the *Columbia, South Carolina State* at least ten days prior to the sale. In offering the bonds for sale, the commission may reserve the right to reject any and all bids.

SECTION 6. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 7. Execution.—The bonds shall be executed in the name of Berea Water and Sewer District by the Chairman of the Berea Water and Sewer District Commission and the Treasurer of Greenville County, under the seal of the commission. The coupons attached to the bonds shall be authenticated by the facsimile signatures of the chairman and the county treasurer who are in office on the date of the bonds. The delivery of any bonds so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after execution or authentication.

SECTION 8. Payment.—For the payment of the bonds, both principal and interest, as they respectively mature, the full faith, credit, resources and taxing power of Berea Water and Sewer District shall be pledged, and there shall be levied and collected by the Auditor and Treasurer of Greenville County, respectively, an ad valorem tax upon all taxable property in Berea Water and Sewer District, without limitation as to rate or amount, sufficient to pay the interest on the bonds and the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected, shall be held by the county treasurer separate and distinct from all

other funds and used solely for the purposes for which levied and collected under the terms of this act.

SECTION 9. Proceeds.—The proceeds derived from the sale of these bonds shall be deposited with the county treasurer in a special fund separate and distinct from all other funds and shall be expended upon the order of Berea Water and Sewer District Commission for the following purposes and for no other:

(1) The accrued interest, if any, shall be applied to meet the first installment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first installment of principal to become due.

(3) The principal proceeds shall be applied to: (a) the cost of issuing the bonds; and (b) the cost of constructing extensions to the water distribution facilities of the District and for providing a system of fire protection within the district.

SECTION 10. Powers of commission.—The power and authority hereby conferred upon the commission shall be, in addition to all presently existing power and authority and not in abrogation thereof.

SECTION 11. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1962.

(R844, H2350)

No. 1108

An Act To Authorize And Empower The County Board Of Commissioners Of Greenville County To Issue Not Exceeding Five Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Greenville County; To Prescribe The Purposes For Which The Bonds Shall Be Issued; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that by legislation enacted in pari materia, there has been created the Greenville County Commission for Techni-

cal Education in order that Greenville County may cooperate with the program instituted by Section 23 of Act No. 323 of 1961 to promote a program of vocational and technical education in the State. The General Assembly further finds that there is an immediate need that such program be instituted promptly in Greenville County. Under the provisions of the State program it is required that cooperating counties furnish the physical facilities necessary to implement the program, and thereafter supervise and maintain them. Surveys conducted indicate that a suitable building, or buildings, with appropriate facilities and equipment, located in a convenient place, are necessary before the State program can begin to function in Greenville County. The General Assembly has, therefore, determined to empower the County Board of Commissioners of Greenville County to issue general obligation bonds of Greenville County to the extent herein provided, in order to provide the Greenville County Commission for Technical Education with the funds required for the construction and equipping of suitable facilities. In so determining, the General Assembly has found that the basic purpose of the program is to educate, in technical and vocational fields, those to whom the program will become available, and that the purpose of the expenditure is educational and is therefore one which counties are authorized to undertake pursuant to Section 6 of Article X of the Constitution of South Carolina.

SECTION 2. Bond issue authorized.—In order to provide funds to be expended by the Greenville County Commission for Technical Education for the acquisition of a suitable site and the construction and equipping thereon of appropriate facilities, the County Board of Commissioners of Greenville County (hereafter called the “county board”) is hereby authorized and empowered to issue and sell general obligation bonds of Greenville County in an aggregate principal amount not exceeding five hundred fifty thousand dollars.

SECTION 3. Single or separate issues.—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

SECTION 4. Maturity.—The bonds shall mature in such annual series or installments as the county board shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

SECTION 5. Redemption.—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Greenville County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the county board shall provide.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the county board.

SECTION 9. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the county board shall by resolution prescribe.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Greenville County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Greenville County, and collected by the Treasurer of Greenville County, in the same manner as county taxes are levied and

collected, a tax without limit, on all taxable property in Greenville County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 13. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Greenville County, and shall be deposited in a bond account fund, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended, on the warrant of the Greenville County Commission for Technical Education, to defray the cost of issuing the bonds authorized hereby, and to pay for costs incurred in the acquisition, construction and equipping of facilities of the sort described in Section 1.

(d) If any balance remain, it shall be held by the Treasurer of Greenville County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 14. Powers of board.—The powers and authorizations hereby conferred upon the county board shall be in addition to all other powers and authorizations previously vested in the county board.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Act 561 of 1961 it was provided that the district therein established should be governed by a commission consisting of three qualified electors of the district, elected by the qualified electors of the district, at an election to be conducted by the Greenville County Board of Election Commissioners.

It further finds that an election was held in the district on October 31, 1961. Marion M. Hewell, Charles H. Wilson and Marvin P. Cannon, Sr., received the highest number of votes cast in the election, and thereafter in pursuance of Section 2 of Act 561 of 1961, lots were drawn to establish the duration of the terms of the three receiving the highest number of votes. As a consequence thereof, Marion M. Hewell is commissioner for a term of six years, Charles H. Wilson for a term of four years, and Marvin P. Cannon, Sr., for a term of two years. The commission thereafter organized as provided by Section 2.

Certain questions have arisen concerning the manner of the holding of the election; but the General Assembly, being satisfied that the election offered the qualified electors of the district ample opportunity to express their wishes, has determined to validate the same and to declare the persons named duly elected as members of the Paris Mountain Water and Sewer District Commission for the terms above set forth.

SECTION 2. Greenville County—Paris Mountain Water and Sewer District Commission—election of members validated.—The election held in Paris Mountain Water and Sewer District on Tuesday, October 31, 1961, for the purpose of electing members to the Paris Mountain Water and Sewer District Commission is hereby validated, notwithstanding any irregularities that may have taken place in giving notice thereof or in conducting the same, and Marion M. Hewell, Charles H. Wilson and Marvin P. Cannon, Sr., are hereby declared to be the duly elected members of Paris Mountain Water and Sewer District Commission for the terms of six, four and two years, respectively.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1205, H2626)

No. 1110**An Act To Validate Certain Expenditures Made By Greenville County For County Purposes During The Calendar Years 1961 And 1962.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1.—Greenville County—expenditures validated.—The following sums which have been expended by Greenville County for county purposes upon approval of the county legislative delegation, such expenditures and approval having been made during the calendar years 1961 and 1962, are hereby validated and declared to be legal in all respects.

July	10, 1961	Maintenance Machines Tax Collector's Office	\$ 550.00
July	10, 1961	Maintenance radios in Deputies cars	587.00
July	19, 1961	Correct salary Head Mechanic, Item 1	420.00
		Correct salary Relief Warden, Item 1	360.00
		Correct salary Asst. Tax Coordinator	800.00
		Increase mileage Tax Coordinator	500.00
July	25, 1961	Appropriation to install sewer system at Rehabilitation Camp...	16,000.00
August	1, 1961	Pay Registration Board	36.00
August	18, 1961	Pay Election Commissioners	500.00
August	18, 1961	Planning & Development Board .	494.60
August	25, 1961	Authorized payment of \$88,000 from the 1960-61 funds on indebtedness in Supervisor's Office. Authorized for Planning & Development Board expenses	5,000.00
August	15, 1961	Supplies for Parole Officer's Office	250.00
August	31, 1961	Salary extra clerk in Magistrate Aiken's office, two weeks	189.80
September	13, 1961	Boards of Assessors	10,000.00
		Orthopedic Equipment, etc. for County prisoners	1,500.00
		Additional for renovation of offices in County Office Building	12,447.44

September 19, 1961	Pay Registration Board	36.00
September 27, 1961	Advertising of Greenville County in County Road Officials Road Association Digest	150.00
October 13, 1961	Secretarial aid to Planning & De- velopment Board	4,500.00
October 24, 1961	Addition to Commissioners' Con- tingent Fund	15,000.00
December 11, 1961	Pay expenses of Oaklawn Magis- trate election	200.00
December 20, 1961	Greenville Technical Education Center	12,000.00
January 9, 1962	Printing annual report of Juvenile and Domestic Court	800.00
January 13, 1962	Pay bond premium for Deputy T. Frank Burns	25.00
February 5, 1962	Pay special deputy at Woodland School four months	200.00
February 15, 1962	Tax Refund to Florence S. Hipp	71.62
January 23, 1962	Five months salary for two addi- tional workers in the Domestic Court	4,000.00
February 23, 1962	Advance to Greenville Technical Training School to be repaid from bond issue	15,000.00
March 12, 1962	To repair windows in County Of- fice Building	1,215.00
March 13, 1962	Additional appropriation for luna- cy examinations and transporta- tion of patients to State Hospital.	1,900.00
Total		\$104,732.46

SECTION 2. Time effective.—This act shall take effect upon ap-
proval by the Governor.

Approved the 16th day of April, 1962.

**An Act To Provide For The Levy Of Property Taxes In Green-
ville County For County, School And Road Purposes For The**

**Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963,
And To Appropriate The Revenues Therefrom And The Income
From All Other Available Sources Of County Revenues And To
Direct And Control The Expenditures Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The County Auditor of Greenville County is hereby directed to calculate, subject to the approval of the Greenville County Legislative Delegation, the levy upon all the taxable property of Greenville County necessary to raise the appropriations hereafter provided for up to the sum equal to the difference between the estimated revenue accruing to the county from indirect and other revenues of like character applicable by law to the general expenses of Greenville County and the sum total of the appropriations herein provided, and no other purpose whatsoever, such levy not exceeding four and one-quarter mills, of all the taxable property of the county, and such revenue therefrom to be expended, if so much be necessary, during the fiscal year commencing July 1, 1962, and ending June 30, 1963.

SECTION 2. Appropriations:

Item 1. County Supervisor

1-1 Supervisor	\$ 7,500.00
1-2 Clerks, 2 @ \$3,857.28 each	7,714.56
1-3 Engineer	3,300.00
1-4 Inspector	5,280.00
1-5 Camp Superintendents, 7 @ \$4,158.00 each	29,106.00
1-5 Ass't Superintendents, 4 @ \$3,696.00 each ...	14,784.00
1-5 Quartermaster	3,300.00
1-5 Interrogation and Transportation Officer	3,300.00
1-5 Gas and Parts Room Man	3,300.00
1-5 Tire Man	3,300.00
1-5 Mechanics, 3 @ \$3,300.00 each	9,900.00
1-5 Welder	3,300.00
1-5 Machine Operators, 16 @ \$3,300.00 each	52,800.00
1-5 Bridge Carpenter Foreman, 2 @ \$2,970.00 each	5,940.00
1-5 Plumber	2,772.00
1-5 Painter	2,772.00
1-5 Farmers, 2 @ \$2,772.00 each	5,544.00
1-5 Day Wardens, 4 @ \$2,772.00 each	11,088.00
1-5 Night Wardens, 5 @ \$2,772.00 each	13,860.00

1-5 Truck Drivers, 3 @ \$2,772.00 each	8,316.00
1-5 Dump Superintendent	3,696.00
1-5 Guards, 32 @ \$2,772.00 each	88,704.00

Total Salaries\$289,576.56

FROM GENERAL FUND:

1-100 Maintenance of buildings, appliances, janitors' supplies, office supplies, heat, lights & water...	\$ 35,000.00
1-101 Convict Maintenance (food and clothing)	100,000.00
1-102 Purchase Machinery and trucks	70,000.00
1-103 Farming Supplies	5,000.00
1-104 Uniforms for guards	5,000.00

Total Expenses\$215,000.00

TOTAL ITEM 1 FROM GENERAL FUND.\$504,576.56
FROM SIX MILL ROAD LEVY

1-105 Gasoline, oil, diesel, fuel, lubricants	\$ 70,000.00
1-106 Maintenance of equipment (tools, tires, blades, batteries, cables, replacement parts)	135,000.00
1-107 Bridges and Large Culverts	66,000.00

Total from Six Mill Road Levy\$271,000.00

Provided, that the foregoing total in the amount of \$271,000.00 shall not be included in the Grand Total as that amount is from the Six Mill Road Levy.

Provided, the Supervisor of the County shall not expend or contract to spend in any one quarter of any fiscal year more than one-fourth of the total amount appropriated for his office. If in the carrying out of the limitation imposed on the Supervisor in this section it should develop that any unexpended portion of any item remains for any one quarter of the year, the same may be added to the amount authorized to be expended for the same purpose during the next ensuing period. The periodic allowance above designated shall not, however, be exceeded for any period and any contract providing for the ex-

penditure of any sum in excess of the periodic allowances above provided shall not be binding upon the county. Any person contracting in any manner with the county is charged with the duty of ascertaining whether or not the expenditure of any sum contemplated by any contract shall be in excess of such periodic allowance. The requirements of this proviso as to periodic expenditures may be dispensed with upon the written approval of the board of commissioners.

Provided, that no monies from the six mill road levy shall be spent for salaries.

Provided, further, that the balance of the six mill road levy shall be spent only for patching and surface treating county roads.

Item 2. County Board of Commissioners and Related Expenses:

Salaries and Expenses:

2-1. Secretary to Commissioners	\$ 5,082.00
2-2 Comptroller	5,082.00
2-3 Accounting Machine Operator	5,082.00
2-4 Assistant Accounting Machine Operator	4,200.00
2-5 Secretary to Legislative Delegation	900.00
2-6 Block Book Engineer	6,500.00
2-7 Assistant Block Book Engineer	6,096.38
2-8 Ass't. Block Book Engineer, 2 @ \$5,476.44 each	10,952.88
2-9 Ass't. Block Book Engineer	4,936.44
2-10 Draftsman, 2 @ \$4,593.00 each	9,186.00
2-11 Draftsman, 2 @ \$3,993.00 each	7,986.00
2-12 Special Engineer	3,833.28
2-13 Clerk, Block Book Department	3,276.96
2-14 Clerk, Block Book Department	2,892.96
2-15 Tax Clerk—City Block Book	1,928.52
2-16 I.B.M. Supervisor	5,900.04
2-17 I.B.M. Operators	16,131.72
2-18 Superintendent of Buildings	4,694.80
2-19 Night Superintendent of Buildings	3,432.00
2-20 Janitors' Salaries (includes two from Health Dept.)	36,300.00

2-21 Elevator Operator—County Office Building	2,721.68
2-22 Board of Commissioners, 5 @ \$600.00 each	3,000.00
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Total Salaries	\$150,115.66
2-100 Travel for Superintendent of Buildings	\$ 330.00
2-101 Travel for Board of Commissioners	1,000.00
2-102 Travel for Block Book Department	500.00
<i>Provided, this shall be paid by the board of commissioners on the basis of seven cents per mile.</i>	
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Total Travel	\$ 1,830.00
2-103 Office Supplies, Commissioners	4,500.00
2-104 Stamps for Delegation Secretary	25.00
2-105 Supplies—Block Book Department	1,000.00
2-106 Lights and Power	16,600.00
2-107 Fuel	7,000.00
2-108 Water	900.00
2-109 Insurance on Buildings	5,500.00
2-110 Janitors' Supplies	6,500.00
2-111 Elevator Upkeep	2,000.00
2-112 Courthouse Repairs	4,500.00
2-113 County Audits	5,000.00
2-114 Bond Premiums—all offices except Sheriff	5,000.00
2-115 Telephone and Telegraph	13,000.00
2-116 Legal Advertising	200.00
2-117 Postage—All Offices	10,500.00
2-118 Workmen's Compensation	12,000.00
2-119 State Retirement and Social Security	95,000.00
2-120 Contractual Service—I.B.M.	14,774.92
2-121 Supplies and Printing—I.B.M.	2,340.00
2-122 Supplies—Special Engineer	100.00
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Total Supplies	\$206,439.92
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TOTAL ITEM 2	\$358,385.58
<i>Provided, that the County Board of Commissioners shall have complete control and direction of I.B.M. system and its personnel, equipment and supplies.</i>	

Item 3. County Jail

3-1 Jailer	\$ 4,400.04
3-2 Ass't Jailers, 5 @ \$3,630.00 each	18,150.00
3-3 Bookkeeper	3,278.64

Total Salaries

3-100 Food, Fuel, etc.

3-101 Clothing Allowance, 6 jailers, \$35.00 per month
each

Total Expenses

TOTAL ITEM 3

Item 4. Court Operation Expenses

4-1 Bailiff	\$ 2,120.00
4-2 Assistant Bailiff	1,832.16
4-3 County Judge	12,750.00
4-4 Solicitor—County Court	6,154.68
4-5 Assistant Solicitor	3,960.00
4-6 County Court Reporter	3,993.00
4-7 Stenographer to County Solicitor	2,507.16
4-8 Stenographer to Circuit Solicitor	3,278.64
4-9 Stenographer to Coroner	1,452.00
4-10 Stenographer to Circuit Judge	1,325.64
4-11 Circuit Court Stenographer	321.48
4-12 Assistant Circuit Court Stenographer	3,960.00
4-13 Criminal Investigator—Circuit and County Court	4,818.00
4-14 Supplement Salary — Stenographer, Parole Of- ficer	968.04

Total Salaries

4-100 Travel—Criminal Investigator

Total Travel

4-101 Jurors—All Courts

4-102 Office Supplies—County Court

4-103 Supplies—Circuit Court Stenographer

4-104 Supplies—Circuit Court Solicitor	450.00
4-105 Law Library	1,000.00

Total Expenses \$ 39,433.48

TOTAL ITEM 4 \$ 89,774.28

Provided, that the Criminal Investigator shall be a full time employee and charged with the duty of assisting the solicitors of the Circuit and County Court with the investigation and preparation of all criminal matters relating thereto in Greenville County, and to that end will be charged with the further duty of assisting the Grand Jury with respect to such investigations as said body shall require. The appointment of the investigator shall be made by the County Delegation upon the recommendation of the Circuit and County Solicitors.

Provided, that the Assistant Solicitor shall be employed by the Circuit Solicitor and the County Court Solicitor and shall serve under their direction.

Provided, that the money hereinabove appropriated for supplies for the Circuit Court Stenographer shall be expended upon the written authorization of the Resident Circuit Judge.

Provided, that witnesses, living outside Greenville County, called for Coroner's inquest be paid the same as other court witnesses.

Item 5. County Health Department

Salaries, Supplies and Vital Statistics \$125,591.50

TOTAL ITEM 5 \$125,591.50

Provided, that the monies hereinabove appropriated shall be spent upon the written approval of the Legislative Delegation.

Item 6. Sheriff and other Law Enforcement:

6-1 Sheriff	\$ 7,500.00
6-2 Chief Deputy	4,561.60
6-3 Radio Operator	4,791.60

6-4 Clerk	2,795.04
6-5 Clerk	3,114.48
6-6 Bookkeeper	3,993.00
6-7 Deputies, 31 @ \$4,812.24 each.....	149,179.44
6-8 Sunday Operator	669.24
6-9 Special Deputies, 8 @ \$269.88 each	2,159.04
Poe Mill	
Renfrew	
Southern Bleachery	
Union Bleachery	
Woodside	
Piedmont	
Southern Worsted	
Greer	
6-10 Special Deputies, 10 @ \$1,253.52 each	12,535.20
Brandon	
Sans Souci	
Upper Part of Greenville County	
Taylors	
City View	
Fork Shoals	
Dunklin	
Town of Mauldin	
Park Place	
Travelers Rest	
6-11 Special Deputies, 4 @ \$1,010.28 each.....	4,041.12
Rehobeth	
Simpsonville	
Berea	
East and West Gantt	
6-12 Special Deputies, 2 @ \$1,200.00 each.....	2,400.00
Town of Piedmont	
Lake Lanier	
6-13 Special Deputy (Conestee)	290.40
6-14 Special Deputy (Slater-Marietta)	1,734.60
6-15 Special Deputy (Judson-Welcome)	1,280.16
6-16 Special Deputy (Wade Hampton)	1,320.00
6-17 Special Deputy (Laurel Creek-9 months)	544.44
6-18 Special Deputy (Pelham)	473.76
6-19 Special Deputy (East View)	1,228.08
6-20 Special Deputy Relief, 2 @ \$1,280.28 each.....	2,560.56

6-21	Special Deputy Relief	669.24
6-22	Special Deputy (Woodlawn)	495.00
		<hr/>
	Total Salaries	\$208,336.00
6-100	Travel—Sheriff	1,905.00
6-101	Travel—Chief Deputy	1,650.00
		<hr/>
	Total Travel	\$ 3,555.00
6-102	Gasoline for 15 rental cars	18,000.00
6-103	Rental on 15 cars	38,365.00
6-104	Fingerprinting Equipment	1,500.00
6-105	Ammunition, Guns, etc.	800.00
6-106	Evidence Procurement Fund	750.00
6-107	Radio Maintenance and Phone	3,420.00
6-108	Office Supplies	2,500.00
6-109	Military	3,200.00
6-110	Insurance	3,667.80
6-111	Transportation of Prisoners	2,500.00
6-112	Premium on officers' bonds, including insurance on Sheriff's and Chief Deputy's automobiles....	975.00
6-113	Maintenance on confiscated cars	1,500.00
6-114	Uniforms and Equipment for Deputies	15,000.00
		<hr/>
	Total Expenses	\$ 92,177.80
		<hr/>
	TOTAL ITEM 6	\$304,068.80

Provided, that Greenville County shall own the uniforms and equipment.

Provided, further, that if any of the above officers shall be replaced, that the uniforms and equipment used by them shall be returned to the Sheriff.

Provided, that unincorporated towns and outlying districts shall be patrolled by schedule in that Greenville County shall be zoned by the Sheriff and Radio Patrol be constantly maintained in said zones, rather than attempting county-wide operation from the Sheriff's office, and *provided*, that two deputies shall be assigned to civil matters and they shall not be responsible for the serving of criminal investigations.

Provided, that before any expenditure shall be made under the foregoing appropriation for transportation of prisoners, the Sheriff's office shall first obtain the written approval of the Circuit or County Solicitor.

Provided, further, if possible return of State prisoners shall be made without cost to the county.

Item 7. Clerk of Court

7-1 Clerk of Court	\$ 6,500.00
7-2 Deputy Clerk	3,857.28
7-3 Second Clerk	3,278.64
7-4 Third Clerk	2,892.96
7-5 Temporary Clerk	550.00
7-6 Acting Clerk of Court (\$50.00 per week to be paid to the Deputy Clerk for additional duties while acting as Clerk of County Court, not to exceed 13 weeks)	650.00

Total Salaries	\$ 17,728.88
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7-100 Office Equipment, Supplies, etc.	2,200.00
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Total Expenses	\$ 2,200.00
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TOTAL ITEM 7	\$ 19,928.88
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Item 8. Probate Judge

8-1 Probate Judge	\$ 7,200.00
8-2 Clerk to Probate Judge	3,857.28
8-3 Second Clerk	3,278.64
8-4 Third Clerk, 3 @ \$2,892.96 each	8,678.88

Total Salaries	\$ 23,014.80
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8-100 Office Supplies and Equipment	1,850.00
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8-101 Lunacy Examinations	3,900.00
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8-102 Transportation of Mental Patients	2,300.00
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Total Expenses	\$ 8,050.00
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TOTAL ITEM 8	\$ 31,064.80
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Item 9. Delegation Contingent Fund

9-100 Special Appropriation by Delegation \$ 15,000.00

TOTAL ITEM 9 \$ 15,000.00

Item 10. County Treasurer

10-1 County Treasurer \$ 2,664.84

10-2 First Clerk 3,857.28

10-3 Second Clerk 3,278.64

Total Salaries \$ 9,800.76

10-100 Office Supplies \$ 600.00

Total Expenses \$ 600.00

TOTAL ITEM 10 \$ 10,400.76

Item 11. Master in Equity

11-1 Master \$ 7,800.00

11-2 Clerk to Master 3,857.28

11-3 Stenographer 2,892.96

Total Salaries \$ 14,550.24

11-100 Supplies—Master 300.00

Total Expenses \$ 300.00

TOTAL ITEM 11 \$ 14,850.24

Item 12. Coroner

12-1 Coroner \$ 3,750.00

Total Salaries \$ 3,750.00

12-100 Travel—Coroner 1,650.00

Total Travel \$ 1,650.00

12-101 Office Supplies \$ 250.00

Total Expenses \$ 250.00

TOTAL ITEM 12 \$ 5,650.00

Item 13. Register of Mesne Conveyance

13-1 Register	\$ 6,500.00
13-2 First Clerk	3,857.28
13-3 Second Clerk, 2 @ \$3,278.64 each	6,557.28
13-4 Third Clerk, 4 @ \$2,892.96 each	11,571.84
13-5 Photo Record Machine Operator	3,720.24
13-6 Assistant Machine Operator	3,278.64
13-7 Temporary Clerk	1,200.00

Total Salaries\$ 36,685.28

13-100 Photo Record Machine Supplies 13,000.00

13-101 Office Supplies and equipment 6,500.00

Total Expenses\$ 19,500.00

TOTAL ITEM 13\$ 56,185.28

Provided, that the Register of Mesne Conveyance in each case where matter is left in her office to be forwarded by mail to some party, shall collect from the person leaving such matter in advance the postage necessary for mailing such matter.

Provided, further, that the Register of Mesne Conveyance may destroy chattel mortgage books left in her office for a period of six years.

Item 14. Auditor

14-1 Auditor	\$ 2,664.84
14-2 First Clerk	3,857.28
14-3 Second Clerks, 2 @ \$3,278.64 each	6,557.28
14-4 Third Clerks, 3 @ \$2,892.96 each	8,678.88
14-5 Tax Co-ordinator	6,500.04
14-6 Assistant Tax Co-ordinator	3,395.43
14-7 Temporary Third Clerk	723.24
14-8 Board of Assessors (Salary and Travel)	17,050.00

Total Salaries\$ 49,426.99

14-100 Travel, Tax Co-ordinator\$ 900.00

Provided, this shall be paid by the board of commissioners on the basis of seven cents per mile.

14-101	Travel, Assistant Tax Co-ordinator	1,250.04
	Total Travel	\$ 2,150.04
14-102	Office Supplies, Auditor	\$ 1,150.00
14-103	Office Supplies, Tax Co-ordinator	500.00
14-104	Planning and Zoning (City)	5,000.00
	Total Expenses	\$ 6,650.00
	TOTAL ITEM 14	\$ 58,227.03
Item 15. Tax Collector:		
15-1	Tax Collector	\$ 6,500.00
15-2	First Clerk	3,857.28
15-3	Second Clerk	3,278.64
15-4	Third Clerk, 2 @ \$2,892.96 each	5,785.92
15-5	Assistant Collectors, 4 @ \$3,085.20	12,340.80
15-6	Extra Help	1,650.00
	Total Salaries	\$ 33,412.64
15-100	Travel, Tax Collector	\$ 300.00
	<i>Provided</i> , this shall be paid by the board of commissioners on the basis of seven cents per mile.	
15-101	Travel, Ass't. Collectors, 4 @ \$1,740.00 each ..	6,960.00
	Total Travel	\$ 7,260.00
15-102	Office Supplies, (to include service contracts on machines)	\$ 2,050.00
	Total Expenses	\$ 2,050.00
	TOTAL ITEM 15	\$ 42,722.64
Item 16. Magistrates and Constables:		
16-1	City Magistrate No. 1	\$ 5,445.00
16-2	City Magistrate No. 2	4,356.00
16-3	Town of Greer Magistrate	3,387.96
16-4	Magistrates, 2 @ \$2,904.00 each	5,808.00
	Bates Township	
	West Greenville	
16-5	Magistrates, 2 @ \$2,420.04 each	4,840.08
	Chick Springs Township	
	Special Sunday and Night Magistrate	

16-6 Magistrate, Town of Piedmont	1,894.80
16-7 Magistrates, 2 @ \$1,633.56 each	3,267.12
Austin Township	
Fairview Township	
16-8 Magistrates, 2 @ \$695.76 each	1,391.52
O'Neal Township	
Gantt	
16-9 Magistrate, Town of Batesville	556.56
16-10 Magistrates, 10 @ \$363 each	3,630.00
Highland Township	
Grove Township	
Dunklin Township	
Cleveland Township	
Oaklawn Township	
Butler Township	
Paris Mountain Township	
Glassy Mountain Township	
Fork Shoals Township	
Saluda Township	
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Total Salaries, Magistrates	\$ 34,577.04
16-11 Constables, 2 @ \$3,085.44 each	\$ 6,170.88
City Magistrate No. 1	
City Magistrate No. 2	
16-12 Constable, Town of Greer	2,571.24
16-13 Constable, West Greenville	1,815.00
16-14 Constables, 2 @ \$1,361.28 each	2,722.56
Chick Springs Township	
Town of Piedmont	
16-15 Constable, Bates Township	1,028.52
16-16 Constables, 2 @ \$846.96 each	1,693.92
Austin Township	
Fairview Township	
16-17 Constable, O'Neal Township	665.52
16-18 Constables, 12 @ \$302.52 each	3,630.24
Highland Township	
Grove Township	
Gantt Township	
Dunklin Township	
Cleveland Township	
Oaklawn Township	

Butler Township
 Town of Batesville
 Paris Mountain Township
 Glassy Mountain Township
 Fork Shoals Township
 Saluda Township

Total Salaries, Constables	\$ 20,297.88
16-19 Stenographer, City Magistrate No. 1	\$ 3,857.28
16-20 Stenographer, City Magistrate No. 2	3,278.64
16-21 Clerk, Chick Springs Township Magistrate....	2,892.96
16-22 Clerk, Bates Township Magistrate	1,935.96
16-23 Clerk, Town of Greer Magistrate	1,475.40
16-24 Clerk, West Greenville Magistrate	1,161.60
Total Salaries, Clerical	\$ 14,601.84
16-100 Office Supplies, City Magistrate No. 1	\$ 250.00
16-101 Office Supplies, City Magistrate No. 2	250.00
16-102 Office Supplies, West Greenville Magistrate...	150.00
16-103 Office Supplies, Town of Piedmont Magistrate.	420.00
16-104 Office Supplies, Chick Springs Magistrate....	600.00
16-105 Office Supplies, All other Magistrates (To include Warrant Books)	1,500.00
16-106 Rent, Chick Springs Magistrate	1,800.00
16-107 Rent, West Greenville Magistrate	700.00
16-108 Rent, Bates Township Magistrate	800.00
16-109 Rent, Town of Piedmont Magistrate	300.00
16-110 Rent, Town of Greer Magistrate	300.00
16-111 Rent, Austin Township Magistrate	300.00

Total Expenses & Rent\$ 7,370.00

TOTAL ITEM 16\$ 76,846.76

Provided, that each Magistrate shall fully comply with Section 4 of Act No. 837 of the 1956 Acts and Joint Resolutions of the General Assembly, as amended in 1958, relating to the keeping of records and display signs, etc.

Item 17. County Physicians and Attorney

17-1 Physician for Post Mortems	\$ 4,400.00
17-2 County Physician	3,630.00

17-3 County Dentist	3,300.00
17-4 County Attorney	3,214.37
17-5 County Surgeon	3,300.00
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Total Salaries	\$ 17,844.37
17-100 Travel, County Physician	2,000.00
17-101 Rent and Expenses, County Attorney	1,800.00
17-102 Medical Supplies for Convicts	4,500.00
17-103 Dental Supplies	108.00
17-104 Eye Glasses, Orthopedic Appliances, etc. for convicts	1,500.00
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Total Expenses	\$ 9,908.00
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TOTAL ITEM 17	\$ 27,752.37
<i>Provided</i> , the appropriations for medical sup- plies and eye glasses, orthopedic appliances, etc. for convicts, shall be spent on certification of the County Physician.	

Item 19. Farm Demonstration :

19-1 Farm Agent	\$ 1,253.64
19-2 Assistant Farm Agent	718.80
19-3 Assistant Farm Agent	351.36
19-4 Home Demonstration—White	1,376.40
19-5 Assistant Home Demonstration Agent	399.36
19-6 Home Demonstration Agent—Colored	1,189.32
19-7 Farm Agent—Colored	479.16
19-8 Stenographer—Colored	1,980.00
19-9 Stenographer	670.80
19-10 Stenographer to Farm Demonstration Agent ..	1,200.00
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Total Salaries	\$ 9,618.84
19-100 Demonstration Supplies	\$ 125.00
19-101 Stationery & Supplies, Demonstration Agent (Colored)	50.00
19-102 Rent, Heat, Telephone, etc., Colored Farm Agent	800.00
19-103 4-H Club—Boys	100.00
19-104 4-H Club—Girls	100.00
19-105 4-H Club—Colored	150.00
19-106 Future Farmers of America	200.00
19-107 Miscellaneous Expense (County Agent)	120.00

19-108	Telephone, Home Demonstration Agent (White)	170.00
19-109	Greater Greenville Sanitation Department (To Destroy, Haul and Dispose of Dead Animals)	4,500.00
19-110	Demonstration Materials, Colored Farm Agent	50.00
19-111	Farmer's Wholesale Market	9,100.00

Total Expenses\$ 15,465.00

TOTAL ITEM 19\$ 25,083.84

Item 20. County Forestry Board:

20-1	Clerk, 8 months @ \$30.61 per month, 4 months @ \$163.89 per month	\$ 900.44
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Total Salaries\$ 900.44

20-100	1 Ranger and 3 Wardens @ \$519.73 per year each for Travel and Expense	\$ 2,078.92
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20-101	4 Towermen, @ \$69.36 per year each for Travel and Expense	277.44
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Total Travel & Expense\$ 2,356.36

TOTAL ITEM 20\$ 3,256.80

Item 21. Charitable Institutions:

21-100	Children's Center	\$ 4,000.00
21-101	Greenville Rescue Mission	1,200.00
21-102	Salvation Army	1,000.00
21-103	Greer Relief Agency	300.00
21-104	Emergency Maternity Shelter	27,500.00
21-105	Fountain Inn Relief Agency	300.00
21-106	Civil Defense	7,500.00
21-107	Mental Health Clinic	17,972.00
21-108	Biologicals for Indigents	7,500.00

TOTAL ITEM 21\$ 67,272.00

Provided, that the State Mental Health authorities are authorized to charge such patients as are financially able to pay a reasonable fee based on their ability to pay as may be determined by the authorities with such monies realized to be used for the purpose of improving the services

at the Greenville Mental Hygiene Clinic.

Provided, funds hereinabove appropriated for Biologicals for Indigents shall be expended only upon the approval or certification of one of the following agencies: (1) Department of Public Welfare, (2) Certification by proper authorities of the Greenville General Hospital, and shall be used in behalf of indigents not admitted to the Greenville General Hospital as patients and in behalf of convicts.

Item 22. Department of Public Welfare:

22-1 Director, Salary Supplement	\$ 1,257.84
22-2 Supervisors, 6 @ \$52.40 each per month, supplement	3,772.80
22-3 Statistical Clerk, Salary Supplement	628.80
22-4 Case Workers, 27 @ \$20.95 each per month, supplement	6,787.80
22-5 Clerks, 10 @ \$20.95 each per month, supplement	2,514.00
22-6 Additional Child Worker	4,155.96

Total Salaries

22-100 Travel, 10 Case Workers @ \$33.00 per month each	\$ 3,960.00
22-101 Travel and Expense, Chairman of Board	330.00
22-102 Telephone and Western Union	2,000.00
22-103 Emergency Relief Purposes	2,500.00
22-104 Foster Home Care	23,600.00
22-105 Miscellaneous and Incidentals	700.00

Total Expenses

TOTAL ITEM 22

Provided, that the above appropriation shall be spent on approval by the Department of Public Welfare Board.

Item 23. Juvenile and Domestic Relations Court:

23-1 Salaries and Travel—Court Personnel	\$ 78,648.34
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Provided, that a salary schedule shall be submitted to the county board of commissioners for approval prior to July 1, 1962.

Total Salaries & Travel

23-100 Detention Home Expenses	9,110.00
23-101 Office Supplies and Expense	4,000.00
23-102 Special Mileage Expense	800.00
23-103 Judge's Special Fund	1,000.00

Total Expenses	\$ 14,910.00
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TOTAL ITEM 23	\$ 93,558.34
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Provided, that the above appropriation shall be spent on approval by the Juvenile and Domestic Relations Board.

Item 24. Rehabilitation Center:

24-1 Salaries	\$ 48,694.90
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Total Salaries	\$ 48,694.90
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24-2 Travel for Superintendent	1,300.00
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Total Travel	\$ 1,300.00
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24-100 Inmate maintenance	18,600.00
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24-101 Institutional Maintenance	12,400.00
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24-102 Industries Program	51,206.00
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24-103 Permanent Improvements	5,000.00
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Total Expenses	\$ 87,206.00
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TOTAL ITEM 24	\$137,200.90
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Provided, that the budget of the Rehabilitation Center shall be approved by the Greenville County Legislative Delegation and a salary schedule submitted to the board of commissioners for approval prior to July 1, 1962.

Item 25. County Home:

25-1 Salaries	\$ 13,200.00
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Total Salaries	\$ 13,200.00
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25-100 Travel for Superintendent	\$ 120.00
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Total Travel	\$ 120.00
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25-101 Food, Fuel, Supplies, etc.\$ 30,617.07

Total Expenses\$ 30,617.07

TOTAL ITEM 25\$ 43,937.07

Provided, that the monies appropriated by separate act for the operation of the Greenville County Nursing Home be administered by the Greenville County Home Board.

Provided, further, that the Greenville County Home Board shall submit a budget for the Greenville County Nursing Home to the Greenville County Legislative Delegation for its approval.

Provided, further, that the Greenville County Home Board is empowered to promulgate rules and regulations to govern the operation of the Greenville County Nursing Home.

Item 26. Extra Help and Office Expenses\$ 2,000.00

Total Extra Help and Expenses\$ 2,000.00

GRAND TOTAL\$2,215,890.31

Anticipated approximate revenue indirect levy
for 1962-63 applicable to General County pur-
poses approximately 1,826,498.81

Approximate revenue to be raised by levy for
General County Purposes\$ 389,391.50

SECTION 3. Subitems of subdivisions under Section 1, Item 1 of this act may be diverted to any other subdivision under the same item, where such action is found to meet the deficiency in such subitem or subdivision, such diversions to be made by the County Board of Commissioners, and upon and after the approval of the Greenville County Legislative Delegation at a duly called meeting; *provided*, the total appropriation of Item 1 be not thereby exceeded; *provided*, further, that like diversion in other items under Section 2 may be likewise made where no salary or fixed charge is thereby affected.

SECTION 4. Item 9 entitled "Contingent Fund" of fifteen thousand dollars hereinabove referred to shall be expended in the dis-

cretion of, and under the direction of the Greenville County Delegation upon claims, demands and petitions previously approved by the County Board of Commissioners and for such purposes as may be prescribed by the delegation at regular called meetings duly assembled. *Provided*, that notices of any meeting shall state the matters to be considered, and any question or proposal not stated in the notice of a called meeting shall not be passed upon at such meetings unless as many as six members present vote in favor of considering the same.

SECTION 5. The amount hereinabove appropriated as salary for the County Auditor and County Treasurer are estimates only. The exact amount to be paid by this act appropriated as salary for each of such officers is a sufficient sum to make a total of six thousand five hundred twelve dollars and fifty-two cents when added to the amount paid by the State.

SECTION 6. Members of the Board of Assessors for Greenville County, including the members of the Special Board of Assessors for the City of Greenville, shall be paid fifteen dollars per day for their services. The members of the board shall be paid seven cents per mile for all necessary travel incident to their work. The special board for the City of Greenville may employ a clerk, who shall receive as compensation for his or her services the sum of five dollars per day for not exceeding ninety days. *Provided*, that no one shall be employed for the purpose without the prior approval and authorization of the chairman of the board.

SECTION 7. The County Board of Commissioners of Greenville County is hereby authorized to reduce the annual tax levy of any sub-district of Greater Greenville Sewer District whenever it shall appear to the commission that the levy of any such subdistrict is excessive and higher than necessary to meet the debt service requirements and operating expenses of such subdistrict.

SECTION 8. The County Board of Commissioners of Greenville County with the approval of the Greenville County Legislative Delegation is hereby authorized to acquire from the United States of America, or any agency, department, authority, corporation or commission thereof, by purchase, lease, loan, gift, or otherwise, such equipment, machinery, supplies, materials, or property, real or personal, both as the county board of commissioners in its discretion shall deem necessary or beneficial to Greenville County or to any of its

political subdivisions and to execute and deliver for and on behalf of the county, or any of its political subdivisions, any contract, lease or other instruments as may be necessary to consummate any transaction. The county board of commissioners shall make payment from the general funds of Greenville County for any property purchased hereunder, and there is hereby appropriated for such purpose from the general funds of Greenville County whatever sum or sums shall be necessary to carry out the purposes of this section.

SECTION 9. The County Board of Commissioners of Greenville County, subject to the written approval of the Supervisor of Greenville County, is hereby authorized to contract with the South Carolina Highway Department for the construction by the county of any road or roads or street or streets within the county, and to pay all cost of construction thereof out of the general fund for Greenville County pending the payment from the Highway Department for such construction. Any excess funds which may be received from the Highway Department over and above construction costs may be used by the Supervisor of Greenville County in improving and constructing roads within the county.

SECTION 10. No department head of Greenville County shall make any purchase or contract to purchase any materials, supplies, equipment or services in excess of one hundred dollars without prior approval by the county board of commissioners. The Board of Commissioners of Greenville County shall require bids on all purchases over one hundred dollars. Bids for purchases shall be obtained by advertising in a newspaper of general circulation in the county, once a week for two weeks, prior to the acceptance of any bids. The board of commissioners shall have the authority to accept or reject all bids. The board may waive advertisement for bids when it feels it is in the best interest of the county to do so.

The Board shall further have the right to formulate such rules and regulations as will insure proper purchasing for the county and may prescribe such forms and bookkeeping methods as may be necessary to carry out the purposes of this section. No purchases shall be approved by the board which involves any obligation over and above the appropriation provided for such purposes.

SECTION 11. Should any part or section of this act be invalidated by court decision on the grounds of illegality or unconstitutionality such decision shall render invalid or inoperative only such portion or

portions of this act as may be specifically so invalidated, the remainder to continue in full force and effect.

SECTION 12. All expenditures heretofore authorized by the Greenville County Legislative Delegation and not heretofore validated are hereby ratified and validated.

SECTION 13. No department, agency or officer of Greenville County shall receive additional pay or any overtime pay during the period for which the appropriations are made in this act.

SECTION 14. No full time county employee shall receive extra compensation from the county or private sources for work done on county time or with county equipment or supplies.

SECTION 15. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R864, H2364)

No. 1112

An Act To Amend Act 110 Of 1951, Relating To Lander College, So As To Increase The Number Of Members Of The Lander Foundation From Twelve To Fifteen.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (a), Section 6 of Act 110 of 1951 amended—membership of foundation.—Item (a) of Section 6 of Act 110 of 1951 is amended to read as follows:

“(a) The membership of the foundation shall consist of fifteen members who shall be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly from Greenwood County including the Senator, and who shall hold office for terms of three years or until their successors are appointed and qualify; *provided*, that of the three members added to the foundation by this act one shall serve for a term of one year, one for a term of two years and one for a term of three years or until their successors are appointed and qualify.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R969, H2488)

No. 1113**A Joint Resolution To Create A Water Study Committee For Greenwood County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Water Study Committee for Greenwood County created—members—terms.—There is hereby created the Water Study Committee for Greenwood County which shall be composed of seven members to be appointed by the Governor upon the recommendation of a majority of the Greenwood County Legislative Delegation, including the Senator. The term of office of each member shall be for one year, dating from the date of appointment by the Governor. Vacancies shall be appointed in the same manner as the original appointments.

SECTION 2. Powers and duties.—The committee shall make a complete study of the needs for water and water systems in all areas of Greenwood County outside of the city limits of any presently incorporated city or town. The committee shall study the feasibility and advisability of establishing such systems and shall make a report of its findings and recommendations to the members of the county legislative delegation and to the county finance board on or before the convening of the 1963 session of the General Assembly or as soon thereafter as practicable. The committee, among other things, shall :

1. Formulate plans and make estimates of costs and items necessary to complete any systems deemed desirable.
2. Study the sources of water supply.
3. Determine how such systems should be formed and operated.
4. Determine from what sources funds might be obtained for the establishment of such systems.
5. Employ such engineers and other persons as the committee deems necessary or proper for its purposes.
6. Shall consult with city officials, county officials, and all other persons as are considered necessary or desirable in order to present to the county legislative delegation and finance board a full and complete report of water needs and the plans and means whereby such needs might be met in the future.

SECTION 3. Powers and duties—further.—The members of the committee shall, as soon as practicable after their appointment, meet and select a chairman. Thereafter, the committee shall meet on the

call of the chairman or a majority of the members. The committee shall notify the members of the legislative delegation and finance board of its first meeting and the members of the legislative delegation and finance board shall meet with the committee and discuss the needs concerning the purposes of this act and to convey to the committee any ideas and suggestions that the finance board or the delegation may have. The report of the committee, as provided above, shall give full coverage to the matters contained in this act but shall include any other ideas which the committee may believe desirable in furthering the needs of the county in this matter or any other matter reasonably related thereto. The report of the committee shall be advisory only.

SECTION 4. Expenditures.—Expenses incurred by the committee for the services of engineers and other persons as may be necessary, shall be paid by the county finance board from the general fund of the county. The chairman of the committee shall sign vouchers or other authorizations approving any and all payments. Expenses of the committee shall not exceed the sum of two thousand dollars without the approval of the county finance board having been first obtained. There is hereby appropriated sufficient funds for the above purposes.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R1089, H2561)

No. 1114

An Act To Authorize The Finance Board Of Greenwood County To Borrow Not Exceeding Fifty Thousand Dollars For The Purpose Of Refinancing Certain Debts Of Greenwood County Incurred For The Purpose Of Purchasing Lands For Public Purposes And For The Purpose Of Buying Certain Additional Lands Needed For Public Purposes; For The Purpose Of Paying Any Costs And Interest In Connection Therewith; And To Provide For The Issuance Of A Note Or Notes For The Purpose Of Re-

financing The Indebtedness And To Use The Proceeds For The Payment Of The Indebtedness, Costs, And Interest.

Whereas, Greenwood County has purchased certain lands for public purposes and on which it owes a debt of thirty-six thousand seven hundred dollars, in addition to interest; and

Whereas, it is deemed in the best interests of Greenwood County to borrow not exceeding the sum of fifty thousand dollars for the purpose of refinancing and paying off the debt, together with interest and costs in connection therewith, and for the purpose of purchasing certain additional lands for public purposes. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County may borrow money for purchase of land.—The Finance Board of Greenwood County may borrow not exceeding fifty thousand dollars to refinance the existing indebtedness of Greenwood County incurred in connection with the purchase of certain lands for public purposes and to purchase additional land.

SECTION 2. Notes — execution — maturity — dates — interest.—The money borrowed shall be evidenced by a note or notes of Greenwood County, signed by the supervisor and attested by the clerk or secretary to the finance board. The note or notes shall mature not more than five years from the effective date of this act, and shall bear such maturity date or dates and such rate of interest as is determined by the finance board.

SECTION 3. Proceeds.—The proceeds from the sale of lands on which the county has incurred indebtedness by authority of this act shall be applied toward the payment of the debts incurred as provided in this act, together with costs and interest in connection therewith.

SECTION 4. Exemption from taxes.—The notes, both as to principal and interest, shall be exempt from all State, county, and municipal taxes.

SECTION 5. Credit of county pledged.—The full faith, credit, and taxing power of Greenwood County is hereby pledged for the payment of the notes, interest, and costs, and the Auditor and Treasurer of Greenwood County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property

in the county, sufficient to pay the principal and interest on the note or notes as they respectively mature.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1090, H2562)

No. 1115

An Act To Authorize The Greenwood Metropolitan Commission To Borrow Not To Exceed Fifty Thousand Dollars For The Purchase Of Sewage Disposal Plants As Provided In Act No. 441 Of 1959.

Whereas, the Greenwood Metropolitan Commission was empowered and authorized to acquire existing disposal plants within the Greenwood Metropolitan District as such Commission deems advisable; and Whereas, it is the desire and intention of the Greenwood Metropolitan Commission to issue notes evidencing the indebtedness incurred in the acquisition of any such disposal plant and to pay for them from the excess that may be realized from the levy imposed for the amortization of bonds issued by such Commission, the original act having authorized the use of bond funds for the payment of such disposal plant. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood Metropolitan Commission may borrow money—issue—payment.—The Greenwood Metropolitan Commission may incur indebtedness and issue notes evidencing the indebtedness payable to the owner of disposal plants acquired by authority of Act No. 441 of 1959, such note or notes not to exceed in the aggregate the sum of fifty thousand dollars. Such notes shall be payable from so much as remains from the present six mill levy after payment of existing debt service on outstanding bonds.

SECTION 2. Payment—further.—The Greenwood Metropolitan Commission shall determine the amount of such available excess and direct the county treasurer as to its application to the payment of indebtedness and the county treasurer shall pay the sums so determined as directed.

SECTION 3. Terms.—The terms of such note or notes shall be for a period not to exceed twenty years and at a rate of interest not to exceed five per cent.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1133, S700)

No. 1116

An Act To Create Northside Public Service District in Greenwood County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provision For The Borrowings By The District, Including The Issuance Of Not Exceeding Three Hundred Thousand Dollars Of Revenue Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District, And To Make Provision For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly has made the following findings of fact :

(1) The area herein defined, which is located in proximity to the City of Greenwood, has become thickly populated. Public health and safety require the installation of a water distribution system in the area capable of supplying the domestic needs of the residents and fire hydrants for the protection of property. Studies have been made to determine the feasibility of the installation. The required facilities will involve a substantial expenditure, and on that basis it has been recommended that a special purpose district be created and empowered to issue bonds.

(2) Engineering studies indicate that the bonds can be repaid either by the revenues derived from the sale of water and water taps or by taxation as the general obligations of the district, in which event they may be additionally secured by a pledge of the revenues derived from the sale of water in the district.

(3) To provide a source of water for the proposed system, it has been recommended that the proposed district contract with existing

water utilities to supply water, maintain the water lines, collect the revenues, and control taps and extensions of the water lines.

(4) On the basis of the foregoing findings, the General Assembly, in order to promote the public health and safety of those living in the district, proposes to create Northside Public Service District, to provide a governing body for such district, and to empower the governing body to function as provided by this act.

SECTION 2. Northside Public Service District created in Greenwood County—area.—There is hereby created and established in Greenwood County a special purpose district to be known as “Northside Public Service District”, which district shall be a public corporation of perpetual succession, and shall have the area and functions prescribed by this act and any subsequent act, amendatory thereof. The district shall include and be comprised of that area of Greenwood County described as follows:

Beginning at a point 264 feet south of intersection of U. S. 25 and Road S-24-58 and running northerly along U. S. 25 a distance of 1320 feet each side of center line of U. S. 25 to intersection with U. S. 178, thence along U. S. 178 a distance of 1320 feet each side of center line of U. S. 178 to a point 1584 feet north of intersection of U. S. 178 and S. C. 185.

As soon as convenient, and prior to the occasion set for the holding of the special election herein authorized, a plat of the district shall be prepared and copies thereof shall be filed in the offices of the Auditor, the Treasurer and the Clerk of Court for Greenwood County.

SECTION 3. Extension of area.—When petitioned by interested persons, or upon its own initiative, and after careful investigation, the Northside Public Service District may by resolution propose extension of the limits of the district by the annexation of territory which, in the aggregate adjoins its existing boundaries. Such resolution describing the territory proposed for annexation shall be published by posting copies in at least three public places in the territory proposed for annexation and by publishing notice of the resolution at or about the same time in a newspaper of general circulation, if there be one, in such territory. At least thirty and not more than sixty days after such publication, the proposed annexation shall be submitted by the county commissioners of election in an election to be held on the request and at the expense of the Northside Public Service District for approval or disapproval by the qualified electors who reside in the territory proposed

for annexation. In the election or elections to be held the questions submitted to the qualified electors shall be "For Annexation", "Against Annexation". The county commissioners of election shall promptly certify the results of the election or elections to the Northside Public Service District. If a majority of all the qualified electors voting thereon in the territory proposed to be annexed shall approve the resolution followed by further investigation and approval by resolution of the Northside Public Service District, annexation as provided therein shall become effective on the first day of the next succeeding calendar month following the certification of the election and resolution of approval. The commissioners may file a certified copy of the declaration of the result of the election in the office of the Clerk of Court for Greenwood County, and if the same shall be filed no suit or action, challenging the validity of the election, shall be instituted unless the same is brought within thirty days following the occasion of such filing.

SECTION 4. To be governed by a commission—members—appointments—terms—vacancies.—The district shall be operated, managed and governed by a commission to be known as Northside Public Service District. The commission shall consist of three resident electors of the district who shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation of Greenwood County, including the Senator. The original appointments shall be for a term of two years for one appointee, for four years for the second appointee, and for six years for the third appointee, and in all cases those persons holding office shall continue to hold office until their successors have been appointed and have qualified. All of the terms shall begin on the effective date of this act. Upon the termination of the term of office of any commissioner, a successor shall be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation of Greenwood County, including the Senator, for terms of six years. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise shall be filled for the remainder of the unexpired term by appointment by the Governor, upon the recommendation of a majority of the Legislative Delegation of Greenwood County, including the Senator.

SECTION 5. Powers and duties.—There is committed to the district the function of providing an adequate water supply for fire protection and for the use of the residents of the district and the function

of providing an adequate garbage collection service, but additional functions may be committed to the district by subsequent legislation. The commission shall be empowered as follows:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To make bylaws for the management and regulations of its affairs, and to define a quorum for its meetings.
- (5) To deposit moneys derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.
- (6) To prescribe such regulations as are necessary to enable the commission to fully discharge the duties placed upon it and to protect all property acquired by it.
- (7) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.
- (8) To build, acquire, construct, operate and maintain such water system as shall in the opinion of the commission be necessary for the district.
- (9) To enter into contracts with the governing agencies of municipal corporations and private corporations in Greenwood County operating waterworks systems on terms and conditions to be mutually agreed upon.
- (10) To impose such schedule of water rates and charges for water system service as the commission shall from time to time approve. To that end the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates for the water system made available by it to persons, firms and corporations within the district.
- (11) To make use of county and State highway rights of way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.
- (12) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1952, or by the following of the procedure for the exercise of eminent domain prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1952, as such statutes are now constituted

or as they may afterwards be constituted following any amendments thereto.

(13) To appoint officers, agents, employees and servants, prescribe the duties of such, fix their compensation, and determine if and to what extent they shall be bonded for the faithful performance of their duties.

(14) To make contracts for construction, engineering and other services, with or without competitive bidding.

(15) In the event the question of issuing general obligation bonds of the district is voted upon favorably by the electors of the district in a special election held pursuant to Section 7 hereof, the commission shall be empowered to raise funds for corporate purposes of the district by causing the levy of a tax therefor. The commission shall notify the auditor and treasurer of any desired tax, whereupon they shall assess and collect the tax as requested and the treasurer shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which the same are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the nonpayment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

(16) To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

SECTION 6. Issue bonds if election favorable—issue—dates—maturity—redemption—sale—exempt from taxes—execution—payment—proceeds.—As one method of raising money to obtain the water system required for the district, the commission on behalf of the district shall be empowered to issue not exceeding three hundred thousand dollars of either general obligation or revenue bonds of the district whose proceeds shall be used for said purposes, including the payment of such interest on the bonds as may be capitalized. Bonds shall be issued only in the event the election for the establishment of a water system as required by Section 7 of this act shall result favorably, and only in the manner, either as general obligations or revenue bonds, as shall be specifically determined by the electors of the district in the manner specified in Section 7 hereof. All or any bonds issued pursuant to this paragraph may be secured (and general obligation bonds may be additionally secured) by a pledge of the net revenues to be derived from the operation of the water system to such extent

as the commission shall determine to pledge the same, it being specifically recognized that the commission may thereafter wish to provide for further obligations of the district, secured by a pledge on a parity with the pledge herein required. The words "net revenues" as used in this paragraph shall mean the sum remaining from the aggregate of all moneys realized by the district from rates and charges imposed and collected for water, after paying the cost of supply, operation and maintenance. If, pursuant to this paragraph, either general obligation or revenue bonds are issued:

(a) They shall be issued as a single issue, or from time to time as several separate issues. They shall bear such date or dates as the commission shall determine, and the bonds of any issue shall mature in such equal or unequal installments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe, and shall bear interest at such rate or rates, payable in such manner as the commission may determine. The bonds may be registered, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenwood County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale, and at least ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale the commission may reserve the right to reject any and all bids, and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts and Joint Resolutions of South Carolina, 1952.

(d) Such bonds shall be executed in such manner as may be prescribed by the commission, *provided*, however, that neither the members of the commission nor any person signing the obligations shall be personally liable thereon.

(e) (i) If general obligations, there shall be irrevocably pledged for the payment of the bonds and interest thereon, as the same mature,

the full faith, credit and resources of the district, and the Auditor and Treasurer of Greenwood County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest thereon as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. General obligation bonds may be additionally secured by such pledge of the net revenues which the district may derive from the operation of the water system as the commission shall provide. In such event, such net revenues as shall be available shall be delivered to the Treasurer of Greenwood County prior to the occasion when the auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues as aforesaid actually in the hands of the Treasurer of Greenwood County at the time the tax for such years is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(ii) If revenue bonds, such bonds shall be secured by such pledge of the net revenues which the district may derive from the operation of the water system as the commission shall provide.

(f) The pledge of net revenues authorized by subparagraph (e) of this paragraph need not, in the discretion of the commission, be exclusive, and the commission may reserve the right to issue further bonds, payable in whole or in part, from such net revenues, on a parity with the bonds authorized by this paragraph, under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Greenwood County in a separate and special fund, and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others, except that any premium received shall be deposited with the Treasurer of Greenwood County and by him applied to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Greenwood County to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sale.

SECTION 7. Election on issuance of bonds—question—conduct.

—The commission is empowered to make provision for the holding of a special election in the district, on a date to be fixed by the commission, at which time there shall be submitted to the qualified electors of the district one of the following two questions, as the commission may hereafter determine and specify:

(a) If general obligation bonds are proposed, the question submitted shall be substantially in the following form:

“Shall the Northside Public Service District issue general obligation bonds in a sum not exceeding three hundred thousand dollars, whose proceeds shall be used for a water system for the district, and the repayment of which will require the levy of an ad valorem tax upon all taxable property in the district of approximately _____ mills for a period of approximately _____ years?”

YES

NO”

(b) If revenue bonds are proposed, the question submitted shall be substantially in the following form:

“Shall the Northside Public Service District establish a water system for the district, and issue bonds therefor to be repaid from the revenues of the system?”

YES

NO”

The election shall be conducted by the Commissioners of Election for Greenwood County, who shall give notice thereof by publication once each week for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election. The election shall be conducted in each of the several precincts (or portions of precincts) lying within the district as the same may be established by law, and at the regular voting places therein, if such be within the district; otherwise, the commissioners of election shall designate a suitable voting place within such precinct. The ballot shall contain suitable instructions, advising the voter that if he favors the establishment of a water system and the issuance of bonds in the manner specified he shall erase or strike through the word “NO”, and that if he is opposed to the establishment of a water system, he shall erase or strike through the word “YES”. The managers of election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets, to the Commissioners of Election

for Greenwood County, who shall declare the result of the election. If the commissioners of election determine that a majority of the voters voting in the election voted in favor of the establishment of a water system and the issuance of bonds in the manner specified upon the ballot, the bonds, or any part thereof, provided for in Section 6 of this act may be issued. Save and except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law. The commissioners of the district may file a certified copy of the declaration of the result of the election in the office of the Clerk of Court for Greenwood County, and if the same shall be filed no suit or action, challenging the validity of the election, shall be instituted, unless the same is brought within thirty days following the occasion of such filing.

SECTION 8. District may borrow money—powers of.—In order to provide further methods by which the district may from time to time raise money, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes, and other evidences of indebtedness, payable solely from all or any part of the revenues derived from the operation of the water system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of such system, or such sum as may be needed to pay the cost of any extension, addition and improvement to such system. If this authorization be availed of, then, under such circumstances, neither the faith and credit of the State of South Carolina nor of Greenwood County, nor of the district, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission, nor any person signing the obligations shall be personally liable thereon. To the end that a convenient procedure for borrowing money pursuant to this section may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 9, Chapter 3, Title 59, and by Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that further amendment and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized

by such Code provisions. Specifically, and notwithstanding contrary provisions in any such Code provisions, if contrary provisions there be, the district may:

(1) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its water system as such net revenues may be defined by the commission.

(2) Covenant and agree that upon its being adjudged in default as to the payment of any instalment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(3) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the water system, whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(4) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(5) Make such provisions for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(6) Covenant and agree that the payments into any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in fixed amounts.

(7) Covenant and agree that no free service shall be furnished to any person, firm, corporation, municipal corporation or any subdivision or division of the State.

(8) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(9) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 9. Property now receiving water may be included under certain conditions.—No property shall be included within the bounds of the district that is now receiving adequate water from a municipal water supply source, except upon written petition of the individuals concerned to be so included, and furthermore the written approval of the water utility now furnishing a municipal water supply to such property must be obtained from said utility.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1159, H2636)

No. 1117

An Act To Provide For The Financing Of Construction, Repair And Improvement Of County Roads In Greenwood County By The Issuance Of Not Exceeding Three Hundred Thousand Dollars Of General Obligation Bonds Of The County And By The Pledge Of Certain Revenues, And To Provide A Tax Levy For The Retirement Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County — bond issue for improving county roads.—The Finance Board of Greenwood County is authorized to issue and sell coupon bonds of Greenwood County in an amount not to exceed three hundred thousand dollars. The proceeds of the bonds shall be used to defray the costs of constructing, repairing, and improving such county roads in Greenwood County as may be determined by the finance board.

SECTION 2. Issue — maturity — redemption — interest.—The bonds may be issued either as a single issue, or from time to time in several separate issues. They shall mature serially in successive annual installments of such amounts as may be determined by the finance board, except that the maturity schedule shall be so arranged that not less than fifteen thousand dollars nor more than fifty thousand dollars of the bonds shall mature in any year. The maturity date of the first installment may be fixed for any occasion not later than three years from the date of the first series of bonds, and the maturity of the last installment shall not be later than twenty

years from the date of the first series of bonds. Any of the bonds may, in the discretion of the finance board, contain a provision permitting its redemption prior to its stated maturity at such premiums as the finance board shall determine. The bonds shall bear such rate of interest, bear such date or dates, and be payable at such place or places as the finance board may determine.

SECTION 3. Execution.—The bonds shall be executed in the name of Greenwood County by the finance board under such official seal as the board shall designate. The bond coupons may be authenticated by the facsimile signatures of any two members of the finance board lithographed or engraved thereon.

SECTION 4. Sale.—The bonds may be sold by the finance board at not less than par and accrued interest to date of delivery, at public sale or private sale. The form, manner and occasions of the advertisement shall be determined by the board.

SECTION 5. Proceeds.—The proceeds derived from the sale or sales of the bonds shall be deposited with the county treasurer in a special fund, separate and distinct from all other funds, shall be applied solely for the purposes for which the bonds were issued, and may be expended only upon the warrants or orders of the finance board; *provided*, that the accrued interest, if any, shall be applied to the first installment of interest to become due on each series of bonds, and the premium, if any, shall be applied to the payment of the first installment of principal of any series of bonds.

SECTION 6. Exempt from taxes.—The bonds, both as to principal and interest, shall be exempt from all State, county and municipal taxes of the State of South Carolina.

SECTION 7. Payment.—The full faith, credit and taxing power of Greenwood County are hereby pledged for the payment of the bonds and interest, and the Auditor and Treasurer of Greenwood County, respectively, are hereby directed to levy and collect annually a tax upon all taxable property in the county, sufficient to pay the principal and interest on the bonds as they respectively mature, and to create a sinking fund for the redemption of the bonds and interest at respective maturities.

There is also pledged for the payment of the bonds and interest, such sums as Greenwood County shall from time to time receive from the State gasoline tax, subject, however, to the prior pledges securing

payment of the principal and interest of the bonds of Greenwood County issued pursuant to Act No. 729 of 1946, and subject to the prior pledge securing a note of Greenwood County, dated April 22, 1957. The county treasurer shall set apart this revenue in a special fund and, after making the annual payments of principal and interest on the obligations secured by the prior pledges above set forth, shall apply the remaining funds solely to the payment of the principal and interest of the bonds authorized by this act. The annual ad valorem tax herein directed to be levied shall be reduced in each year by the amount of these funds available for payment on the bond debt at the time the tax for such year is required to be levied.

The General Assembly, after due investigation, determines that the sums which will be available from the State gasoline tax will be in all likelihood sufficient to meet the payments of principal and interest of the bonds authorized by this act.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1160, H2637)

No. 1118

An Act To Authorize The Finance Board Of Greenwood County To Convey A Portion Of Any Land Owned By It To The State Of South Carolina For Use As A Site For A National Guard Armory.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County authorized to convey certain property.—The Finance Board of Greenwood County is authorized to convey a parcel of five acres, more or less, of any land owned by it to the State of South Carolina, without consideration, for use as a site for the location of a national guard armory; *provided*, that should the land conveyed not be used for such purpose within ten years from the effective date of this act it shall revert to Greenwood County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1161, H2638)

No. 1119

An Act To Amend Act No. 441 Of 1959, As Amended, Relating To The Greenwood Metropolitan District, So As To Authorize The Application Of Certain Tax Revenue To Capital Improvements And Retirement Of Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 7 of Act 441 of 1959 amended—application of excess monies obtained from bond payment tax levy.—The first paragraph of Section 7 of Act No. 441 of 1959, as last amended by Act No. 571 of 1961, is further amended by adding at the end thereof the following: "Any revenue derived from the bond payment tax levy not necessary for the payment of principal and interest of the bonds as they respectively mature may be applied by the commission to the purchase of its own bonds or to investment in capital improvements for the commission's system."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1202, S707)

No. 1120

An Act To Establish A Procedure For Annexing Certain Territory To The Ware Shoals Water And Sewer District In Greenwood County.

Whereas, the Ware Shoals Water and Sewer District was created pursuant to provisions of Title 59, Chapter 4, Code of Laws of South Carolina, 1952, and it is now desirous that a procedure be provided for annexation thereto of contiguous territory in Greenwood County. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County — Ware Shoals Water and Sewer District—procedure for annexation.—Upon submission to the commission of the Ware Shoals Water and Sewer District of a petition proposing the annexation of certain described territory in Greenwood County contiguous to the district, signed by a ma-

jority of the resident landowners of adult age in the territory or signed by the owners of land and buildings aggregating more than one-half of the total assessed valuation of real property situate therein, as shown by the tax assessment rolls, the commission shall, within thirty days following receipt of such petition, certify such fact to the county commissioners of election.

SECTION 2. Conduct of election — ballots.—The commissioners of election shall thereupon order an election to be held within the corporate limits of the water and sewer district and within the territory proposed to be annexed to the district, on the same date, on the question of extension of the limits of the district by annexation of the proposed territory. The commissioners shall give notice of the election at least ten days prior to the date set therefor by notices posted in three conspicuous places within the limits of the district and also three conspicuous places within the territory proposed to be annexed or by similar notice published at least twice in a newspaper of general circulation within the limits of the district and the proposed territory. The election shall be conducted in each of the precincts or portions of precincts lying within the Ware Shoals Water and Sewer District and within the territory proposed for annexation, and at the regular voting places therein; if there be no regular voting place within the territory the commissioners shall designate a suitable voting place. At such election only such electors as return real or personal property for taxation within the district or within the area proposed for annexation, and who reside therein, shall be eligible to vote and the managers of election shall require an elector to exhibit both a tax receipt and a registration certificate before permitting him to vote.

The ballot shall contain suitable instructions, advising the electors as to the procedure in casting their ballots. The votes cast in such election within the district and the votes cast within the proposed territory shall be counted separately by the managers of election at each voting place and the results thereof declared separately. The commissioners of election shall certify the results of such election to the commissioners of the Ware Shoals Water and Sewer District and cause the same to be published. If a majority of the votes cast in the district and in the proposed territory shall each be in favor of the annexation, the commissioners of the district shall declare the annexed territory a part of the Ware Shoals Water and Sewer District. The commissioners shall file a copy of their declara-

tion, together with a description and plat of such territory, in the offices of the clerk of court and the Auditor of Greenwood County.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1209, H2745)

No. 1121

An Act Authorizing The Courthouse Renovating And Building Committee Of Greenwood County To Supervise The Planning For And Construction Of A Courthouse And Office Building Facility For The County, Which May Be In Conjunction With Other Governmental Units; To Authorize The Expenses Of The Committee And Reports Therefrom; To Authorize The Finance Board Of Greenwood County To Borrow Seventy-five Thousand Dollars And To Provide For The Repayment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County Courthouse Renovating and Building Committee to construct courthouse and office building.

—The Courthouse Renovating and Building Committee for Greenwood County is directed to undertake and supervise further planning for and actual construction of a new courthouse and office building facility for Greenwood County. This may be done in conjunction with the facility of any other governmental unit in the county, upon such basis as assures the payment by each of its proportionate share of the cost. For this purpose the Committee shall have all of the powers and duties given it by Act No. 433, 1959.

SECTION 2. Payment of expenses.—The expenses incurred by the Committee for the services of architects, engineers and other necessary services shall be paid from the general fund of the county by the county finance board upon vouchers signed by the chairman of the Committee. Such expenses and the cost of land for the project shall not exceed seventy-five thousand dollars.

SECTION 3. Report.—The Committee shall, from time to time, report to and review its progress with the finance board, the Legis-

lative Delegation of Greenwood County and the governing body of any other governmental unit participating.

SECTION 4. Payment further.—In addition to the provisions of Section 2 the Finance Board of Greenwood County is authorized to borrow not exceeding seventy-five thousand dollars to be used for the purposes of this act and to issue notes of the county therefor. The notes may be issued under such terms and conditions as the finance board may prescribe, shall mature as the board shall determine but in no event later than ten years from the date of this act, and shall bear such rate of interest as the board may determine. Any note issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its maturity date. The notes shall be executed in such manner as the finance board shall prescribe. The notes and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952. For the payment of the notes, with interest thereon, the full faith, credit and taxing power of Greenwood County is hereby pledged and the Auditor and Treasurer of Greenwood County, respectively, are hereby directed to levy and collect annually a tax upon all of the taxable property in the county sufficient to pay the principal and interest on the notes as they respectively mature.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1273, H2659)

No. 1122

An Act To Provide For The Levy Of Taxes For Greenwood County For The Fiscal Year 1962-1963, And For The Expenditure Thereof; To Provide For Emergency Financing Of The County And Its School Districts; To Provide For The Sending Out Of Tax Notices, Fixing School District Levies And For A General School Levy, And For The Expenditure Thereof; To Validate Prior Actions Or Disbursements; To Authorize The Publication Of Financial Statements; And To Provide Penalties For The Violation Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of sufficient mills to pay the appropriations for Greenwood County hereafter made for the fiscal year beginning July 1, 1962, and ending June 30, 1963, after crediting against the appropriation all other revenue anticipated to accrue to the county during the fiscal year, not earmarked for specific purposes, is hereby levied upon all the taxable property of Greenwood County. The amount of millage shall be determined by the County Auditor in consultation with the Legislative Delegation and Finance Board of Greenwood County.

SECTION 2. There is hereby appropriated for Greenwood County for the fiscal year beginning July 1, 1962, and ending June 30, 1963, the following sums of money in the amounts and for the purposes herein set forth as follows:

Item 1. Road Maintenance Supervision:

A-1. Groceries	\$ 10,000.00
A-2. Salaries and Labor	42,000.00
From this amount the Finance Board shall increase salaries of fulltime employees five per cent above salaries paid for 1961-62.	
A-3. Fuel Oil and Grease	16,000.00
A-4. Bridge Material	12,000.00
A-5. Road Material	11,000.00
A-6. Clothing and Camp Service	8,000.00
A-7. Medical Service and Medicine, Insurance on county equipment and miscellaneous items	4,000.00
A-8. Parts and Repairs	20,000.00
A-9. Maintenance and Building of Surface Treated Roads.	

The Supervisor of Greenwood County shall be responsible for repairing and maintaining all improved and surface treated roads in the county system. He further shall be responsible for making, grading, improving, and building such surface treated roads as might be designated from time to time and for which funds have been appropriated by the Greenwood County Legislative Delegation. *Provided*, that all contracts for road construction and resealing shall be entered into upon the basis of sealed bids, after advertisement therefor, with the right reserved to the

county to reject any and all bids as to any particular project.

B. Supervisor's Salary	6,000.00
C. Clerk of Finance Board, Salary	6,000.00
D. Secretary to Supervisor and Finance Board ..	3,150.00
E. Additional Clerical Help	500.00
F. County Physician	600.00

Serving chain gang, jail and cases approved by the Department of Public Welfare anywhere in Greenwood County; *provided*, the County Physician shall be selected by a majority vote of the Finance Board.

TOTAL ITEM 1\$139,250.00

Item 2. Law Enforcement:

A. Sheriff's Salaries and Transportation:

A-1. Sheriff's Salary	\$ 6,000.00
A-2. Seven Deputy Sheriffs at \$4,150.00 each	29,050.00
A-3. Secretary to Sheriff	2,900.00
A-4. Transportation of Prisoners	300.00

B. Constables:

B-1. At Ninety Six Cotton Mill	4,100.00
<i>Provided</i> , the Ninety Six Cotton Mill shall reimburse Greenwood County for \$2,050.00.	
B-2. His Auto Upkeep and Traveling Expenses	200.00
<i>Provided</i> , that Ninety Six Cotton Mill shall match this travel with the same amount.	
B-3. Mathews Mill (2 at \$4,100.00 each)	8,200.00
<i>Provided</i> , that Mathews Mill shall reimburse Greenwood County in the sum of \$4,100.00.	
B-4. Their Auto Upkeep and Traveling Expenses...	300.00
<i>Provided</i> , that Mathews Mill shall match this travel with the same amount.	
B-5. At Ware Shoals, County's one-half part of four constables at \$2,050.00	8,200.00
B-6. Their Auto Upkeep and Traveling Expenses for Chief of Police and Deputies at Ware Shoals	600.00
<i>Provided</i> , that Ware Shoals shall match this travel with the same amount.	
B-7. Harris Mill	4,100.00
<i>Provided</i> , Harris Mill shall reimburse Greenwood County in the sum of \$2,050.00.	

- B-8. Auto Upkeep and Travel Expense, Harris Mill Deputy 200.00
Provided, Harris Mill shall match this travel with the same amount.
Provided, that the appropriations for auto expenses and traveling expenses provided for in Item 2, B-2, B-4, B-6, B-8, shall be paid to the respective mill companies and shall be disbursed by them.
- B-9. Ware Shoals West End—Law Enforcement, two deputies, salary to be fixed by association . . . 4,100.00
 This fund is intended to match the funds provided by West End Merchants Association for law enforcement in that community. Payment from the fund shall be made only on written orders of the Secretary of the Association, to which must be attached a sworn statement of the Secretary showing the purpose of the proposed expenditure, that it has been authorized by a majority of the Association and that the Association has already expended a like amount for the same purpose.
- B-10. Auto Expense, West End Deputies 50.00
Provided, that West End Merchants shall match this expense.
- C. Jail Expenses, including dieting of prisoners at \$1.25 per day 7,200.00
- D. National Guard Units 1,750.00
Provided, that this amount shall be divided among the various units and armories located in Greenwood County on the basis of \$500.00 to each armory and \$250.00 to each unit.
- E. One-half of Fingerprint and Picture Record of all prisoners (other half by City) 360.00
- F. Secret Service Work 100.00
Provided, that a portion of this fund may be used for the purpose of taking photographs to be used as evidence in criminal cases.
- G. Officers' Uniforms 2,275.00
Provided, that this appropriation shall be disbursed as follows: seven deputy sheriffs in sher-

iff's office and Delinquent Tax Collector, \$175.00 each; all other constables and deputies (10), as the county's half part, \$87.50 each, *provided*, that the same be matched as to each constable as hereinabove provided for travel and auto expense. *Provided*, the appropriation herein made for the seven deputy sheriffs shall be available immediately upon the passage of this act.

H. Insurance on Officers' Cars	2,100.00
I. Clerk of Court	1,300.00
The office of clerk of court is a fee office supplemented by the amount provided above, and the clerk is required to pay from his fees, including this supplement, the salaries of his employees and office expenses, and it is hereby declared that such has always been the case; <i>provided</i> , however, that should the clerk's income be less than \$6,000.00 after payment of salary of clerk and other temporary or emergency assistance paid on a proportionate basis to the salaries of other county clerical employees and after payment of office expenses, the county shall pay the difference upon showing made by affidavit of income and expenses.	
J. Attorney	1,200.00
<i>Provided</i> , the attorney shall be selected by majority vote of the Finance Board.	
K. Coroner:	
K-1. Salary	1,050.00
K-2. Telephone at his residence	37.00
K-3. Travel	300.00
L. Post Mortems, Inquests and Lunacies	2,000.00
M. Inquest Jurors	200.00
N. Magistrates:	
N-1. Greenwood	4,800.00
N-2. Ware Shoals	2,200.00
N-3. Ninety Six	1,250.00
N-4. Hodges and Cokesbury	850.00
N-5. Troy	125.00
N-6. Oak Grove	125.00
N-7. Callison, Phoenix and Kirksey	125.00

Provided, the increases in salaries hereby appropriated shall be in lieu of all fees heretofore received by magistrates for certain civil and criminal procedures, and the salaries provided shall be the full compensation of the magistrates; all such fees, on and after July 1, 1962, shall be charged as before and shall be remitted by the magistrates to the county treasurer and credited to the general fund of the county.

N-8. Clerk for Greenwood Magistrate 2,900.00

O. Jurors and Witnesses in Circuit Court 8,000.00

Provided, that Jurors and Bailiffs receive six dollars per day each and ten cents per mile one way for term.

P. Jurors serving in Magistrates' Courts in criminal cases only 100.00

Provided, that Jurors serving Magistrates' Courts shall receive two dollars per day.

Q. Judge of Probate 5,400.00

Provided, the salary hereby appropriated shall be in lieu of all fees heretofore received by the judge of probate for the services and processes of his office and all such fees, on and after July 1, 1962, shall be remitted by the judge of probate to the county treasurer and credited to the general fund of the county; *provided*, however, that this shall not affect the statutory rebates of inheritance tax provided under Section 27-303, Code of Laws of South Carolina, 1952, which section provides that the probate judge shall receive such rebates in addition to his other fees and salaries; *provided*, further, this clause shall have no effect upon services rendered as master in equity, which is a separate capacity and the fees for which services are designated by general state law.

Clerk for Judge of Probate and Master 3,000.00

R. Clerical Assistance, Probation Officer, Greenwood County share 400.00

S. Clerical Assistance for Solicitor 600.00

TOTAL ITEM 2 \$118,047.00

Item 3. Farm Aid:

A. County Agent—Salary Supplement	\$ 360.00
B. Negro Home Agent—Salary and Travel	720.00
C. Supplies:	
1. Home Demonstration Agent	75.00
2. Negro Home Agent	50.00
3. Negro Agricultural Agent	50.00
D. Home Demonstration Work for Girls	100.00
E. Home Demonstration Work for Negro Girls ..	100.00
F. Boys' 4-H Club Work	100.00
G. Negro Boys' 4-H Club Work	100.00
H. Clerical Assistance—Negro Agent	1,200.00
I. Office Rent—Negro Agent	155.00
J. Vocational Agriculture Teacher—Travel	240.00
K. Fire Control, payable \$600.00 each to fire ranger and two fire wardens for expenses and \$450.00 supplement to salary of tractor operator...	2,250.00
L. County Breeders Association—aid to artificial insemination program	600.00

TOTAL ITEM 3\$ 6,100.00

Item 4. Collection of Taxes:

A. Salaries:

A-1. Treasurer's Salary	\$ 2,153.00
This amount in addition to the amount provided by the State provides a total salary for the Treasurer of \$6,000.00.	
A-2. Chief Clerk for Treasurer	3,150.00
A-3. Assistant Clerk for Treasurer	2,900.00
Extra help—Treasurer's office	360.00
A-4. Travel and official expense for Treasurer	220.00
A-5. Auditor's Salary	2,153.00
This amount in addition to the amount provided by the State provides a total salary for the Auditor of \$6,000.00.	
A-6. Travel allowance for Auditor	220.00
A-7. Chief Clerk for Auditor	3,150.00
A-8. Assistant Clerk for Auditor	2,900.00
Extra help—Auditor's office	850.00
A-9. Tax Collector	4,150.00
A-10. Secretary to Tax Collector	2,900.00

C. Board of Assessors and Tax Appeals	3,500.00
C-1. Tax Assessor & Mapping Office	
Salary of assessor & mapper	4,800.00
<i>Provided</i> , the employment of this officer must be confirmed by a majority of the County Legislative Delegation, including the Senator, prior to his employment.	
Office & field equipment	2,000.00
Clerical assistance	700.00
D. Sending Out Tax Notices:	
D-1. Treasurer's Office	875.00
D-2. Delinquent Tax Collector's Office	315.00

TOTAL ITEM 4\$ 37,296.00

Item 5. Health Service:

A. County Health Department	\$ 40,410.00
<i>Provided</i> , that the County Finance Board shall be furnished one itemized statement of the expenditures of this money.	
<i>Provided</i> , further, the increase of \$6,538.00 in the appropriation for this department is appropriated for the following uses and purposes:	
1. Salary for additional nurse	3,183.00
2. Travel allowance for additional nurse.....	840.00
3. For salary adjustments of personnel	715.00
4. For transportation of patients to clinics.....	500.00
5. For salary increases of personnel of department, so that when combined with increase in State appropriation, the increase for each employee shall be five per cent	1,300.00
B. Charity Patients at Self Memorial Hospital or other institutions as approved by the Department of Public Welfare	15,756.00
C. Brewer Hospital, for charity patients to be disbursed in twelve equal monthly payments	32,040.00
D. Mental Health Clinic for the participation of Greenwood County in a Regional Mental Health Program or Clinic if such a program is instituted with the approval of the South Carolina	

Mental Health Commission, and in accord with
the proposal submitted to the Delegation..... 6,100.00

TOTAL ITEM 5\$ 94,306.00

Item 6. Public Welfare and Other Assistance:

A-1. For boarding homes and emergency relief and
matching State funds if needed\$ 2,000.00

A-2. Telegrams and Long Distance Telephone calls. 100.00

A-3. Expenses of Child Welfare Worker 600.00

Provided, that the above sum shall be payable in
equal monthly installments of \$50.00 without
the necessity of itemizing same.

A-4. To supplement salaries of personnel of Depart-
ment of Public Welfare, to be administered by
the County Welfare Board 3,400.00

C. Veterans' Service Office:

C-1. Salary of Service Officer 5,400.00

C-2. Salary of Office Help 2,900.00

C-3. Office Expense and Travel 300.00

Provided, the funds, if any, provided by the
State for the support of Veterans' Service Offi-
cer of Greenwood County shall be applied to the
payment of the foregoing salaries and expenses
and not duplicated.

C-4. Office Rent for Service Officer 425.00

TOTAL ITEM 6\$ 15,125.00

Item 7. Contractual Services:

A-1. Public Buildings, including water, fuel, lights
and insurance, and extra janitorial help.....\$ 10,000.00

A-2. Repairs at Lander College 6,500.00

B. Printing and Stationery 1,500.00

C-1. Postage 550.00

C-2. Office Supplies 2,500.00

C-3. Office Equipment and repairs 2,400.00

C-4. Clerk of Court, supplies 7,200.00

D. Telephone and Telegrams 3,800.00

Telephones shall be located one each in the office
of the Sheriff, Supervisor, Treasurer, Auditor,
Superintendent of Education, Clerk of Court,

Judge of Probate, Grand Jury Room, Service Officer, Tax Collector, Home Demonstration Agent, one in Colored County Agent's office and one each in the homes of the Sheriff, the seven deputy sheriffs stationed at the Court-house, the eight State patrolmen doing law enforcement work at \$4.00 each per month, the chief constables stationed at Ware Shoals Manufacturing Company, Mathews Cotton Mill, Harris Mill and Ninety Six Cotton Mill; *provided*, one-half of the necessary charges for the telephone service in the homes of the deputies stationed in the cotton mill villages shall be contributed by the respective cotton mill companies. All long distance messages shall be itemized and verified before payment from this fund.

E. Janitor Service	4,680.00
F. Auditing County Books	1,500.00
G. Typing Audit Reports	50.00
H. Paupers' Funerals	300.00
I. Workmen's Compensation Fund	1,500.00
J. Premiums of Officers' Bonds	1,000.00
K. South Carolina Retirement System and Social Security	14,400.00
L. Servicing radios in Sheriff's cars	600.00
M. Airport utilities, county's share	400.00
N-1. Central gas, oil and servicing for county-owned cars	4,000.00
N-2. Gas and oil for county-owned cars when away from central supply	100.00
N-3. Central Fund—parts, repairs and tires for county-owned cars	2,000.00
O-1. Secretary to Delegation	300.00
O-2. Postage and supplies, Delegation	25.00

TOTAL ITEM 7\$ 65,305.00

Item 8. Domestic Relations Court:

A. Salaries:

A-1. Judge	\$ 4,400.00
A-2. Probation Officer	4,400.00
A-3. Secretary	3,150.00

A-4. Assistant Probation Officer	3,150.00
B. Travel Allowance:	
B-1. Probation Officer	300.00
B-2. Assistant probation Officer	500.00
<i>Provided</i> , that the above shall be payable in equal monthly installments without the necessity of itemizing same.	
C. Telephone, Stationery, Stamps and Office Supplies	1,850.00
D. Miscellaneous Expense Fund	300.00
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TOTAL ITEM 8	\$ 18,050.00
Item 9. Miscellaneous:	
A. Civil Air Patrol	\$ 400.00
B. Civil Defense, for expenses, supplies, equipment and administration	5,000.00
<i>Provided</i> , that the civil defense program of the county qualify to receive matching funds from State and Federal sources.	
C. Planning Commission	1,000.00
D. Police Insurance and Annuity Fund	6,720.00
E. Registration Board—supplement to salaries of members of board at \$200.00 per member	600.00
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TOTAL ITEM 9	\$ 13,720.00
Item 10. Miscellaneous Contingent Fund for emergencies and unforeseen expenditures during the fiscal year 1962-1963	\$ 7,500.00
<i>Provided</i> , that in no event shall any portion of this appropriation be used for an account for which there is a specific appropriation made in this act.	
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TOTAL ITEM 10	\$ 7,500.00
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GRAND TOTAL	\$514,699.00
Anticipated Revenue 1962-1963 other than taxation:	
Fines, Forfeitures and Licenses	\$ 50,000.00
Insurance License Tax	35,000.00

Beer, Wine and Whiskey Tax	45,000.00
Delinquent Taxes and Execution Fees	25,000.00
Bank Tax	9,000.00
Reimbursement from industrial companies for constables	8,200.00
Revenue from Income Tax	50,000.00
State Contribution for Service Officer	4,815.00
National Forest Fund	6,500.00
Unpledged Revenue from gasoline tax	47,500.00
Miscellaneous income and interest	13,500.00
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TOTAL	\$294,515.00
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Balance to be Raised by Taxation \$220,184.00

SECTION 3. The amounts herein appropriated shall be paid out as near as practicable one-twelfth each month during the year 1962-1963, and if any item or salary has been overpaid for any month, such overpayment shall be deducted the following month. All accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *provided*, the amounts herein appropriated for the specific items as set out herein shall not, nor shall any part thereof, be used for any other purpose except upon the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County. *Provided*, further, no claim or bill shall be approved or paid unless same shall state fully, under oath, what it is for, or give the kind or quality of thing or commodity which it represents, in addition to the amount and time furnished. The money herein appropriated for auto upkeep and travel and for other expenses of county officials shall be paid out only upon itemized claims which have been verified by the official incurring the expenses and approved by the Supervisor and the Clerk to the Finance Board.

SECTION 4. The Finance Board of Greenwood County, with the approval of the Senator and a majority of the members of the House of Representatives from Greenwood County, be, and they are hereby authorized and empowered to make regulations or take such action as may be necessary under any emergency which may arise before the convening of the next session of the General Assembly, for the financing of the affairs of Greenwood County, both the general county

matters and all school matters, with the further provision that a full and complete record of any action taken under the provisions of this section shall be kept by the Secretary of the Finance Board; *provided*, before any action is taken by the Finance Board in connection with this section, it shall call a joint meeting of the members of the Greenwood County Legislative Delegation in the General Assembly and the Finance Board to discuss such action.

SECTION 5. In case of emergency the Finance Board of Greenwood County may with written approval of the Greenwood County Legislative Delegation borrow sufficient funds to carry out the terms of this act or to meet such emergency, pledging as security therefor any surplus in the sinking fund, general fund, or by tax levy when approved by the Delegation.

SECTION 6. Immediately upon receiving tax duplicates from the County Auditor, the County Treasurer shall cause to be mailed to each taxpayer listed thereon whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the said taxpayer for the current year, with such other information as the County Treasurer may deem desirable. This service to the taxpayers being gratuitous, no obligation shall rest upon the county or State, or County Treasurer for any failure or mistake on the part of the County Treasurer in giving or failing to give the notice.

SECTION 7. The Senator and a majority of the members of the House of Representatives from Greenwood County after consulting with the Superintendent of Education and the trustees of the respective school districts as to their respective needs are hereby authorized to determine and fix the levy for school purposes for each school district in Greenwood County. The school trustees in each district in Greenwood County are hereby directed to see that all claims presented for payment are duly itemized and verified and shall state the purpose for which the said claims are drawn and the County Superintendent of Education is hereby prohibited from approving any claim unless so drawn.

SECTION 8. There is hereby levied on all the taxable property of Greenwood County such millage as shall be determined by the Senator and the majority of the Greenwood County Legislative Delegation for the following purpose, to wit: clerical assistance to the Board, com-

pensation and travel expenses of the appointed members of the County Board of Education, adult education, aid for school bus transportation, salary supplement and travel of Superintendent of Education, and for such other educational purposes as may be determined by the County Board of Education. Each of these members shall be paid five dollars per day for each day's attendance on meetings of the board, and travel at the rate of five cents per mile in going to and from the place of meeting and the secretary in addition thereto shall receive five dollars per month. The auditor is hereby authorized to put on the books, and the treasurer to collect and hold the proceeds therefrom, subject to the orders of the County Board of Education for Greenwood County.

SECTION 9. Any officer or employee who disregards any of the provisions of this act without the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County kept on file in the office of the County Treasurer, shall be guilty of a malfeasance in office and subject to removal, in addition to the punishment now provided by law.

SECTION 10. A majority of the qualified electors of Greenwood County having voted in favor of financial support of Lander College at the election held on May 2, 1951, the Auditor of Greenwood County is authorized and directed to levy, and the Treasurer of Greenwood County to collect, a tax not to exceed four mills on all of the taxable property in Greenwood County, the proceeds of which shall be used in conjunction with other college revenues to defray the operating expenses of the college.

SECTION 11. The Finance Board will pay claims out of the appropriation of Item 5-B for the benefit of patients who are citizens of Greenwood County only when submitted in an itemized form by the hospital rendering the services, showing the name of each person hospitalized supported by the affidavit of the proper officer of the hospital and certificate of the Department of Public Welfare to the effect that they have examined the person's financial ability, and that they have found such person financially unable to pay for his hospitalization, provided that claims submitted for payment will not exceed the actual cost of services rendered which will include only ward rates.

The Department of Public Welfare is hereby designated as the agency to make financial investigations for those patients requesting

charity hospitalization, as provided for by an act of the General Assembly, 1958, entitled "An Act To Prescribe The Duties And Responsibilities Of The Greenwood County Department Of Public Welfare Concerning Indigent Patients To Receive Hospital And Medical Care At The Expense Of The County."

Provided, that no person shall be hospitalized as a charity patient for a period of time in excess of ten days, unless the Finance Board shall have previously approved a longer stay. The Finance Board may approve a longer stay if it is made to satisfactorily appear from statements from the Superintendent of the hospital, the doctor in charge of the patient, and the Department of Public Welfare that a longer stay is absolutely necessary from the standpoint of the patient and the financial condition of the patient warrants a further extension of charity from the county. No extension shall be for a period in excess of ten days. *Provided*, further, that in no event shall more than four thousand eight hundred dollars be expended or obligated in any one calendar month for all charity patients.

SECTION 12. The County Treasurer is hereby authorized and directed to publish in the county newspapers a statement reflecting the financial condition of the county as of December 31, 1962, and June 30, 1963.

SECTION 13. All prior actions or disbursements taken or made, as a result of any resolution or action by the Legislative Delegation of Greenwood County, are hereby validated, ratified, confirmed and declared to be legal and binding.

SECTION 14. Monies accruing to Greenwood County from the one cent gasoline tax for the fiscal year 1962-1963 shall be used and are hereby appropriated as follows:

ESTIMATE OF FUNDS TO BE RECEIVED \$170,000.00

(1) The sum of seventy thousand dollars, or the necessary amounts, in payment of principal, interest and fiscal agents fees of road bonds and notes;

(2) The sum of twenty-five thousand dollars to the City of Greenwood for street improvements;

(3) The sum of two thousand five hundred dollars to the Town of Ninety Six for street improvements;

(4) The sum of fifteen thousand dollars for the purchase of automobiles and equipment for the road maintenance program;

(5) The sum of ten thousand dollars for the payment of obligations becoming due upon road reimbursement contracts; and

(6) The sum of forty-seven thousand five hundred dollars to be applied on the appropriations herein provided for road maintenance and supervision.

Provided, however, that the sums appropriated to the City of Greenwood and the Town of Ninety Six shall not become due and payable until the amounts above pledged to the bond issue and to anticipated revenue have been paid.

SECTION 15. Any surplus in the general fund of the county or any funds accruing from any other source to the credit of the General Fund for Greenwood County during the fiscal year shall be used as a contingent fund and spent on the authorization of a majority of the Greenwood Legislative Delegation including the Senator.

SECTION 16. If any clause, phrase, sentence, paragraph, or section of this act shall be held invalid, same shall not affect the validity of remaining phrases, clauses, sentences, paragraphs or sections.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R707, H2072)

No. 1123

An Act To Change The Name Of The Hampton County Hospital To The Hampton General Hospital.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Name of Hampton County Hospital changed.—The name of the Hampton County Hospital, which was established by Act No. 445 of the Acts and Joint Resolutions of 1947, in Section 25, shall be known as "The Hampton General Hospital", after the effective date of this act.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R818, S582)

No. 1124

An Act To Authorize And Direct The State Highway Department To Add To The State Highway System, Survey And Construct A Certain Road In Hampton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department to construct road in Hampton County.—The State Highway Department is hereby authorized to add to the State Highway System, survey and construct a road approximately one and one-half miles in length located approximately three miles southwest of Hampton commencing at Route 363 and extending in a southeasterly direction across Black Creek to connect with an existing county road including a bridge with spillway at Black Creek.

SECTION 2. Costs.—The cost of this road shall be charged against funds allocated to Hampton County for secondary or farm-to-market road construction.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1962.

(R1030, H2274)

No. 1125

An Act To Provide For The Levying Of Taxes For Ordinary County And Road Purposes In Hampton County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of sufficient number of mills to pay the appropriations in Hampton County herein made, the amount of such millage to be determined by the county auditor and county treasurer, is hereby levied upon all the taxable property of Hampton County for county purposes for the fiscal year beginning July 1, 1962, and ending June 30, 1963, as follows:

Item 1. Roads and Bridges:

1-A. Chain Gang Employees:	
1. Guards	\$ 11,790.00
2. Mechanic	3,840.00
3. Tractorman	1,300.00
1-B. Chain Gang, Convicts and Supplies	6,000.00
1-C. Bridges and Culverts	8,000.00
1-D. Tractors and Machines	5,300.00
Repairs and Supplies	10,000.00

Total Item 1\$ 46,230.00

Provided, that the supervisor shall have the right to use gasoline and motor oils in his private automobile while on the county's business.

Item 2. County Officers and Clerks:

2-A. Attorney, Salary	\$ 780.00
2-B. Auditor, Salary	1,000.00
Auditor, Expense	500.00
Auditor, Mailing Tax Notices	100.00
2-C. Clerk of Court, Salary	2,700.00
Clerk for Clerk of Court	2,400.00
2-D. Coroner, Salary	720.00
2-E. County Board of Commissioners:	
Supervisor, Salary	4,200.00
Supervisor, Expense	600.00
Commissioners (2)	3,220.00
Clerk, Salary	2,100.00
2-F. Judge of Probate, Expense	2,100.00
Clerk, Salary	2,400.00
2-G. Magistrates and Constables:	
Magistrate, Goethe Township	2,400.00
Constable, Goethe Township	1,800.00
Magistrate, Lawton Township	1,680.00
Constables (2), Lawton Township	2,520.00
Magistrate, Peeples Township	3,000.00
Constable, Peeples Township	3,600.00
Magistrate, Pocotaligo Township	1,680.00
Constable, Pocotaligo Township	1,500.00
Report Clerk	120.00
2-H. Physician, Salary	780.00

2-I. Sheriff, Salary	2,400.00
Sheriff, expense	3,000.00
Deputy Sheriffs (2), Salaries	4,200.00
Deputy Sheriffs (2), Expenses	5,400.00
Jailor, Salary	500.00
Jailor, Expense	1,480.00
Maintenance for three automobiles	1,000.00
2-J. Tax Collector	4,200.00
Tax Collector, expense	450.00
2-K. Treasurer, Salary	3,000.00
Treasurer, Expense	350.00
2-L. Clerk for Auditor & Treasurer	4,200.00
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Total Item 2	\$ 72,080.00
Item 3. Boards and Public Services:	
3-A. Board of Tax Equalization	\$ 250.00
3-B. Farm Agent, Expense	600.00
Assistant Farm Agent, Salary	2,700.00
Clerk, Salary	600.00
4-H Club Work and Miscellaneous Supplies ..	650.00
3-C. County Home Demonstration Office:	
Clerk, Salary	1,320.00
Negro Home Agent, Salary	720.00
Demonstration Material and Office Expenses..	150.00
3-D. Court Expenses (Jurors, bailiffs and jury child, five dollars each per diem mileage each juror, bailiff, jury child and witnesses, ten cents per mile one one way per term of court)	3,000.00
3-E. Department of Public Welfare:	
Expenses	1,862.00
Relief	3,600.00
3-F. Forestry Board (Meetings, members five dol- lars per diem each, and ten cents per mile one way per board meeting)	75.00
3-G. Health Centers (Including Varnville, Yemassee and Estill)	
Sanitarian in charge, Salary Supplement	840.00
Sanitarian, Salary Supplement	737.00
Health Nurses (2), Salary Supplements	2,280.00
Clerk, Salary Supplement	360.00

Insect control, 2 Operators, \$50.00 each per week payable biweekly, not to exceed a 20 week season	2,000.00
Chest X-Ray Clinic, Technician Services	300.00
X-Ray Reading Services and Film	300.00
Clinics, 2 per month, \$12.00 each for physicians' services as requested	288.00
Operation and Supplies	1,426.00
3-H.	
3-I. Jail Expenses:	
Dieting Prisoners	3,500.00
Medical Expense for Prisoners	250.00
Repairs and Supplies	400.00
3-J. Library Service:	
Contributions (Expend subject to Section 16) ..	5,000.00
Expenses	600.00
3-K. National Guard Units Funds, donations (Expend subject to Section 16)	1,200.00
3-L. Post Mortems, Inquests Pauper Funerals	800.00
3-M. S. C. Retirement System and Federal Social Contributions for County Employees	5,500.00
3-N. Supervisors of Registration (3), Salaries	1,200.00
3-O. Vital Statistics, Registrars of Births and Deaths	200.00
3-P. Veterans Service Office:	
Service Officer, Salary	1,200.00
Service Officer, Expensé	1,800.00
Clerk, Salary	2,400.00
Travel Expense (Meetings, Veterans affairs) ..	200.00
Office Expenses	400.00
Total Item 3	\$ 48,708.00
Item 4. Operation and Upkeep, Offices, Buildings and Grounds:	
4-A. Publishing Supervisor's Report and Legal Notices of Auditor and Treasurer	200.00
Watermelon Festival (Expend subject to Section 16)	750.00
Other Advertising & Flowers (Expend subject to Delegation Approval)	100.00

4-B. Auditing and Bond Premiums:	
Auditing Services, including annual settlement.	1,700.00
Bond Premiums, Officers and Employees	800.00
4-C. Utilities and Insurance (Including Workmen's Compensation premiums on County Employees)	
Electric Service	4,200.00
Fuel	1,370.00
Water Service	800.00
Insurance	2,000.00
Workmen's Compensation Premium	960.00
4-D. Grounds Beautification (Expend subject to Section 16)	300.00
4-E. Janitor Services (Including Armory)	2,560.00
<i>Provided</i> , Courthouse Janitor helper may be paid not over \$10.00 weekly by Treasurer on claim approved by Clerk of Court.	
4-F. Postage, Stationery and Office Supplies	3,700.00
<i>Provided</i> , Postage, P. O. Box Rent, postal fees may be paid by Treasurer against claim of any county officer and held as cash item with postmaster's receipt attached.	
4-G. Repairs and Supplies:	
General Maintenance	1,000.00
Sheriff's Radio System	1,300.00
4-H. Rent, Library, Hampton, S. C.	660.00
4-I. Telephone Rentals, Toll Calls and Telegraph Service	2,400.00
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Total Item 4	\$ 24,800.00
Item 5. Miscellaneous:	
5-A. Tax refunds, street taxes to towns and S. C. Sales Tax, also including tax exemption granted new industry	\$ 3,000.00
5-B. Teachers' Expense, subject to Delegation approval for disbursement through School authorities	7,665.00
5-C. Civil Defense	1,250.00

5-D. Development Board	5,000.00
Expend subject to delegation approval	

Total Item 5	\$ 16,915.00
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1962-63 APPROPRIATION GRAND TOTAL FOR FISCAL YEAR	\$208,733.00
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Less: Estimated Revenue, other than Property Taxes:

Alcoholic Liquor Tax	\$ 14,700.00
Bank Tax	1,850.00
Beer and Wine Tax	3,700.00
Fines	16,000.00
Gasoline Tax	72,000.00
Income Tax	20,000.00
Insurance License Fees	9,250.00
Miscellaneous	500.00

Provided, except that Radio Rental and Maintenance fees received from municipalities shall be added to Item 4-G, Sheriff's Radio System.

Rents	1,400.00
State Library Board	500.00
Tax Execution Collections	4,000.00
Tax Execution Fees	2,500.00
Veteran Service Office	4,173.00

Total Estimated Revenues, Other Than Current Property Taxes	\$150,573.00
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AMOUNT TO BE RAISED BY COUNTY TAX LEVY, INCLUDING COMMUTA- TION ROAD TAX	\$ 58,160.00
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Provided, that the County Attorney of Hampton County is hereby required to give each county officer of the county advice when requested for same; *provided*, further, that the Farm Demonstration Agent shall be appointed by the proper authorities by and with the consent of the Legislative Delegation from Hampton County, and shall be subject to removal on request of the Legislative Delegation.

Provided, further, that all revenues provided for by law be collected and placed in ordinary county funds to supplement and provide sufficient funds for all ordinary county purposes.

Provided, that hereafter the janitors of the courthouse and the county office buildings shall work and perform their duties under the control and direction of the Clerk of Court and Farm Demonstration Agent, respectively. All claims shall have the approval before payment by at least two members of the County Board and such approval by any two members shall be sufficient to constitute the board's approval.

Provided, further, that nothing herein or otherwise shall be construed as limiting the total compensation, including expense allowance, of any county officer from fees, county or State appropriation, except that all tax execution fees collected shall be remitted to the county treasury for general county purposes.

SECTION 2. No road tax shall be levied except a commutation road tax of three dollars to be assessed and collected from each male citizen between the ages of twenty-one and fifty-five years, inclusive. No one shall be exempt from payment of the commutation tax, except persons totally disabled. All commutation taxes shall be expended on roads and bridges and all of the commutation tax collected from citizens of incorporated towns by the county treasurer shall be returned to the respective towns, except that no refunds of any commutation (street) tax shall be paid to any town for any person whose name does not appear on list filed as herein provided. *Provided*, that the town authorities of Brunson, Hampton, Varnville, Yemassee, Estill, Luray, Scotia and Furman be empowered to collect the commutation tax from residents within their respective corporate limits. *Provided*, further, that clerks of the respective towns on or before March first of 1963 and each succeeding year, furnish a list, duly sworn to, to the county auditor, and copies to the county treasurer and county board of commissioners, of all persons in their respective towns who are liable to such commutation tax.

SECTION 3. The auditor and treasurer of Hampton County shall be and they are hereby constituted a Sinking Fund Commission of Hampton County, whose duty it shall be to handle all funds collected for the purpose of creating a sinking fund for the retirement of all bonds of the county.

No public funds of Hampton County shall be deposited in any bank or depository unless the bank or depository shall tender to the treasurer of Hampton County a security equal in value to the funds deposited. The security shall consist of either a surety bond executed by a licensed surety company, United States Government Bonds, bonds of the State of South Carolina, Federal Land Bank Bonds, or bonds of any political subdivision of the State of South Carolina, after Federal Deposit Insurance Corporation guarantees have been considered, or such other security or securities as shall be approved in writing from time to time by a majority of the legislative delegation.

On the maturity or payment of any bonded indebtedness of any school district in Hampton County by the county treasurer, the same may be paid by the county treasurer without securing a voucher therefor from the school district trustees, provided the county superintendent of education authorizes such payment in writing.

SECTION 4. The clerk of the county board of commissioners may, at its discretion, and in lieu of requiring submission of salary and expense claims monthly, prepare a monthly payroll in duplicate listing each county employee with appropriations act item number, monthly salary and expense, less required and authorized pay deductions and issue county board of commissioners' "County Check" (warrant) in the usual manner for balance due to each county employee at the close of the last day of each month. The county check (warrant) number, date and amount shall be entered on the appropriate line on the payroll. The county check (warrant) shall be drawn against the county treasurer, payable from the "County Fund" account in the usual manner. Each monthly payroll shall be approved by the county board of commissioners and duplicate filed with the county treasurer. The county board of commissioners or its clerk may withhold, or delay issuing a county check (warrant) to any employee when believed necessary to protect the county's interest, including settlement of tax executions held by the tax collector when notified in writing and a copy is mailed to employee concerned.

SECTION 5. The county supervisor and the county commissioners are hereby prohibited to issue any pay check (warrant) to any magistrate of Hampton County until the magistrate has filed report and remitted all funds, including fines and costs due Hampton County to the county treasurer for the previous month; *provided*, all funds due the South Carolina Wildlife Resources Department have been remitted and the department has not notified the county board of commissioners in writing otherwise.

SECTION 6. The county supervisor, upon the request of any county commissioner, is hereby authorized to furnish from the chain gang a truck and sufficient number of convicts to do such work on roads and bridges in the county as such commissioners deem necessary.

SECTION 7. All lumber purchased shall be with the approval of two county commissioners and the county supervisor.

SECTION 8. All notices by the county supervisor, county treasurer, county superintendent of education, county auditor and other county officers, provided by statute to be given, may be published in any newspaper published or having circulation in Hampton County; and two hundred dollars set out in Item 4 is for the payment in full of such notices as are published in any paper during the year. *Provided*, however, that the word "notices" above used shall not be deemed to include notices and advertisements of tax sales, and the sum of two hundred dollars is not in payment of the costs of advertising tax sales.

SECTION 9. The county supervisor, treasurer, auditor and clerk of court shall compose a board to purchase all books and stationery for the county.

SECTION 10. No property owned by Hampton County shall be sold, rented or leased unless the approval of the legislative delegation shall be first secured.

SECTION 11. The courthouse and grounds shall be under the custody and control of the clerk of court for Hampton County, except that the county office building shall be under the custody of the farm demonstration agent for Hampton County.

SECTION 12. Wherever in the conduct of the affairs of the county it becomes necessary for the county treasurer to expend money for any matters and things not foreseen at this time, and when the legis-

lative delegation shall approve the expenditure in writing and the approval has been signed by both members thereof, then such expenditures made under such authority are hereby validated.

SECTION 13. From and after the effective date of this act the Sheriff of Hampton County shall not be required to personally serve grand jurors or petit jurors requiring their attendance upon either the Court of General Sessions or the Court of Common Pleas, but such service shall be made by mailing a summons to the last known address of such prospective jurors and no charge shall be made or collected for such service. *Provided*, that the presiding judge may otherwise order service made personally by the sheriff and in such event the sheriff shall be paid for same the amounts now allowed for same. Likewise, hereafter the sheriff of Hampton County shall not be required to serve or summons witnesses in criminal cases except by subpoena duly issued on motion of solicitor or as ordered so to do by the presiding judge. Such witnesses may be served by mailing a summons to the last known address of such witnesses for which no charge shall be made or collectible; and it shall be the duty of all magistrates in Hampton County to place under bond all witnesses for the State, blanks for same to be furnished by the clerk of court to the various magistrates.

SECTION 14. All persons actually in the Armed Forces of the United States on active duty shall during service be exempted from payment of personal property taxes on one vehicle, including one vehicle in wife's name if none in husband's name in tax book, and from payment of road, poll and dog taxes levied for 1962 and for any prior year when the above conditions have been met. The county auditor, treasurer and tax collector are authorized to abate or mark "Nulla Bona" such taxes as may be levied; and the county auditor may approve county claim for refund when such taxes have been paid; and in all the foregoing cases be subject to presentation of satisfactory evidence of service in the Armed Forces, provided no dog tax shall be levied for 1962 against any person.

SECTION 15. In the event the clerk of court should have in his official capacity any funds which have been unclaimed for as long as five years, he is hereby authorized to pay same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received in the general county fund.

SECTION 16. Such funds as are herein appropriated as county contribution, donation or other support of any county agency or civic organization shall be made available on county check (warrant) issued by the county board of commissioners drawn on the county treasurer on letter request by such agency or organization for actual amount of funds determined to be needed and how arrived at, supported by its current year's (fiscal or calendar) financial operations statement to date of the letter request, with advice that a copy of the previous year's audit has been filed for record with the office of the clerk of court for Hampton County. Only after the county board of commissioners has made favorable recommendations, not in excess of appropriation item and the later written approval of the county legislative delegation, will such county check (warrant) be issued for approved amount; however, the approved amount may be disbursed in one or more county checks (warrants) in the discretion of the county board of commissioners with regard to funds available in the county treasurer's office for the county fund general purposes.

SECTION 17. All county officers for Hampton County may close their respective offices at twelve o'clock noon on each Thursday and Saturday throughout the year and keep same closed for the remainder of the day and all day of the Watermelon Festival; except, that any officer may keep his office open for the necessary performance of his duties.

SECTION 18. Any new manufacturing enterprise claiming exemption from county taxes (other than taxes for school purposes) for a period of five years from their establishment under the provisions of Section 8 of Article VIII of the State Constitution shall make letter request to the county auditor who will determine if the new manufacturing enterprise has made investment of not less than fifty thousand dollars or additions to existing manufacturing enterprise of not less than fifty thousand dollars, as is evidenced by Hampton County property tax return or certified documents filed with the South Carolina Tax Commission of the enterprise. Upon a favorable finding by the county auditor, the request shall be submitted to the county legislative delegation for approval. The county treasurer shall establish and maintain complete file on each tax exempt enterprise. The county treasurer is authorized in lieu of exempt amount of taxes to execute county claim in his favor as county treasurer for the amount and to handle same as a "Cash Item" in his county fund account for reim-

bursement on "Next First Monday" by the county board of commissioners at the same time payment of balance due taxes is made by any such enterprise. *Provided*, any new manufacturing enterprise may submit evidence under oath by its owner, partner or officer if a corporation, if their Hampton County property tax return or certified documents filed with the South Carolina Tax Commission does not reflect as much as fifty thousand dollars investment to the county auditor for reference to the county legislative delegation. *Provided*, further, that after approval for exemption from county taxes (other than taxes for school purposes) and in any subsequent year when the records and/or documents aforementioned do not reflect as much as fifty thousand dollars investment being maintained, then such prior approval shall be considered revoked and no longer in force and effect.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R701, S471)

No. 1126

An Act To Amend Section 8 Of Act No. 579 Of 1961, Relating To A Referendum Concerning The Creation Of Watershed Conservation Districts In Horry County, So As To Change The Number Of Votes Necessary Before Such Districts May Be Created.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 8 of Act 579 of 1961 amended—results—district to be created if results and determinations favorable.—Section 8 of Act No. 579 of 1961 is amended by striking on the third line of the proviso, the words "a majority" and inserting in lieu thereof the words "two-thirds," and by inserting the word "voting" between the words "landowners" and "within", so that when amended the section shall read as follows:

"Section 8. The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within

the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least two-thirds of the landowners voting within the proposed district shall have voted in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Horry County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this state and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R852, S577)

No. 1127

An Act To Amend Act No. 742 Of 1946 Creating Loris Community Hospital District in Horry County By Enlarging The Functions Of Its Commission So As To Permit The Operation And Maintenance Of A Nursing Home And To Permit The Issuance Of Bonds Payable Solely From The Revenues Derived From Any Facilities Operated By The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did heretofore by Act No. 742 of the Acts and Joint Resolutions of the General Assembly for the year 1946,

establish in Horry County the Loris Community Hospital District, and that thereafter in pursuance of the authorizations contained in such act, a public hospital has been constructed and has been in continuous operation. It now finds that it will be desirable to commit to the district the further function of operating a nursing home in conjunction with its existing hospital, and to make available to the Loris Community Hospital Commission the right to issue bonds payable from the revenues derived from such facilities as it may now or henceforth have to provide funds for the construction of the nursing home and for improvements and additions to its existing facilities.

SECTION 2. Section 3 of Act 742 of 1946 amended—additional powers and duties.—Section 3 of Act No. 742 of the Acts of the General Assembly for the year 1946 is hereby amended by adding to enumerated powers set forth in the thirteen paragraphs of Section 3, the following which shall respectively become paragraphs (14) and (15) thereof:

“(14) To construct and equip, and thereafter operate, enlarge and maintain, a nursing home to provide such care for those members of the public entitled to utilize the facilities of the district.

“(15) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of the facilities of the district. The sums borrowed may be those needed to pay all costs incident to the initial construction and establishment of new facilities, and any extension, addition and improvement to the facilities of the district, including architects' cost, construction costs, the sum needed to pay interest during the period of not exceeding two years, such sum as may be needed to supply working capital to place any new facility in operation, and all other expenses of any sort which may be incident to any of the foregoing. Neither the faith and credit of the district nor of Horry County shall be pledged for the payment of the principal and interest of such obligations, and there shall be on the face of each such obligation a statement, plainly worded to that effect. Neither the members of the commission nor any person signing such obligations shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the commission shall be fully empowered

to avail itself of all powers granted by Chapter 3, Article 9 and by Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that future amendments and modifications of Chapter 3, Article 9, and of Chapter 5, Title 59, Code of Laws of South Carolina, 1952, shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the powers conferred upon the commission by Chapter 3, Article 9, and by Chapter 5, Title 59, the commission may make all pledges and covenants authorized by any provision of either chapter, and may confer upon the holders of its securities all rights and liens authorized by either chapter. Notwithstanding the provisions of Chapter 3, Article 9, and Chapter 5, Title 59, the commission may:

(a) Issue bonds payable solely from the net revenues derived from the operation of all or any part of its facilities.

(b) Provide that all bonds of any issue mature at a fixed time in lieu of serial maturities as contemplated by Section 59-382, Code of Laws of South Carolina, 1952.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporate trustee the power to make disposition of the proceeds from facilities whose revenues are pledged, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other types of securities.

(e) Provide that such obligations and the interest thereon shall be exempt from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise. This provision shall be deemed a part of the contract, inuring to the benefit of all holders or beneficiaries of its securities.

(f) Dispose of its obligations at public or private sale, and upon such terms, conditions, and rates of interest as it shall approve.

(g) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premiums, and on such terms and conditions as the commission shall approve.

(h) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(i) Prescribe by covenant the limits to which free service will be furnished to those utilizing the facilities of the district.

(j) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(k) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R1132, S686)

No. 1128

An Act To Authorize The Horry County Board Of Education To Borrow Money To Be Used For School Construction; To Provide For The Payment Of Such Loans, And To Repeal Act No. 1047 Of 1960, Relating To The Borrowing Of Money By The Horry County Board Of Education.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Horry County—tax levy for school construction.—The Auditor of Horry County shall levy and the Treasurer of Horry County shall collect annually a tax not to exceed four mills on all taxable property in Horry County for the purpose of school construction in the county by the Horry County Board of Education.

SECTION 2. Treasurer to transfer funds to board of education.—Upon written request or requisition by the chairman of the Horry County Board of Education, the Treasurer of Horry County is authorized and directed to pay over to the Horry County Board of Education from time to time any of the proceeds of this levy which may be on hand, including any amounts now or hereafter in the hands of the treasurer as a result of levies and collections pursuant to Act No. 1047 of 1960; saving and except, however, a sufficient amount to retire any obligation which may be outstanding under Act No. 1047 of 1960, or which may from time to time be issued under the terms and provisions of this act.

SECTION 3. Board of education may borrow money—notes—execution—interest—terms—maturity.—The Horry County Board of Education may borrow money to be used for school construction purposes through the fiscal year ending June 30, 1972, in such amount or amounts as may be required from time to time not to exceed in the aggregate, including principal, interest and the cost of such borrowing, such amount or amounts as the Treasurer of Horry County shall certify may be reasonably anticipated to be collected from the four mill levy through the fiscal year ending June 30, 1972. Notes or other obligations shall be executed and delivered as evidence of such borrowing which shall be signed by the chairman of the Horry County Board of Education and countersigned by the Treasurer of Horry County, whose countersignature shall be sufficient certification to any holder that such obligation is authorized by this act. The rates, interest and terms of payment of such obligations may be fixed by the Horry County Board of Education and the Treasurer of Horry County, subject only to the restriction that no such obligation shall mature later than June 30, 1972. The obligations when issued shall constitute legal and binding obligations of Horry County. Due to the retirement of obligations from time to time, the total amounts borrowed under this act may be greater than the limitation imposed herein, but the Horry County Board of Education and the Treasurer of Horry County shall at no time have outstanding obligations in excess of the amount which may be reasonably anticipated to be collected from the four mill levy through June 30, 1972.

SECTION 4. Credit of county pledged.—The special levy herein provided together with the full faith, credit and taxing power of Horry County is irrevocably pledged to the payment of all obligations issued pursuant to this act as the obligations mature.

SECTION 5. Exempt from taxes.—Obligations issued pursuant to this act are exempt from payment of all county, state and municipal taxes.

SECTION 6. Saving clause.—If any portion or provision of this act is declared invalid, such invalidity shall not affect the remaining portion thereof.

SECTION 7. Repeal—Act 1047 of 1960 repealed.—Act No. 1047 of 1960 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1228, H2625)

No. 1129

A Joint Resolution To Create A Courthouse Improvement And County Office Building Committee For Horry County, To Provide For The Appointment Of Its Members And To Outline Its Duties And Authorities.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Horry County Courthouse Improvement and County Office Building Committee created—membership.—There is hereby created the Courthouse Improvement and County Office Building Committee for Horry County, which shall be composed of five members to be appointed by the Senator and at least one-half of the House Members from Horry County.

SECTION 2. Powers and duties.—The committee shall make a complete study of the feasibility of improving the present courthouse, or constructing a county office building, or both, in order that the present and future needs of the county may be met with economy and efficiency. The committee shall formulate plans with estimates of costs and time necessary to complete construction. It shall investigate land sites and estimate land requirements with costs, and shall make a complete survey of space requirements of the various departments and agencies of the county government. The committee shall employ such

architects and engineers as are considered necessary and shall consult with such county officials and citizens of Horry County as may be necessary or desirable in order to present to the county office facilities which will serve the people in an ever expanding economy for years to come without the need of expensive extensions or additions.

SECTION 3. Meetings and report.—The committee shall meet upon the call of the chairman or a majority of the members. The chairman shall notify the Legislative Delegation for Horry County of the time and place of the first meeting and the delegation shall sit with the committee at its first meeting in order to discuss with the members the need of the county for courthouse improvements and a county office building, and any work which may have been planned in connection therewith, and to convey to the committee any ideas and suggestions which the delegation may have. Upon the completion of the work of the committee, which shall be no later than December 15, 1962, a complete report shall be made to the legislative delegation of the county, including such recommendations with plans as the committee shall deem proper. In making such report full consideration shall be given not only to all instructions contained in this act, but any other ideas which the committee may believe desirable in furthering the needs of the county in this matter. Such report of the committee shall be advisory, and in no way binding upon the legislative delegation.

SECTION 4. Expenses.—Such expenses as may be incurred by the committee for the services of architects, engineers and such others as may be necessary shall be paid from the general fund of the county upon approval by the Senator and at least one-half of the House Members from Horry County.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1268, H2550)

No. 1130

An Act To Provide For The Operation Of The Government Of Horry County And For The Levy Of Taxes For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied upon all of the taxable property in Horry County a sufficient number of mills, not to exceed seventeen mills, to be determined by the auditor from assessment of the property therein, which together with fines, forfeitures, gasoline tax, road tax, fees, collected by various officers, and all income of the county shall raise the amount herein appropriated. For county purposes for the county for the fiscal year 1962-1963 there is appropriated the following:

Item 1. Clerk of Court's Office—Expenses:

Clerk of Court	\$ 6,270.00
Deputy Clerk of Court	4,840.00
First Assistant—Steno-Clerk and Bookkeeper ..	3,250.00
Three Assistant Steno-Clerks at \$2,820.00 each	8,460.00
Wages account for bailiffs, court crier, and jury boy	3,500.00
Jurors and Witness fees	24,000.00

Total, Item 1

\$ 50,320.00

Item 2. Treasurer's Office—Administrative Expense:

Treasurer—County Supplement	\$ 2,880.00
Deputy Treasurer	3,960.00
Three Assistant Steno-Clerks @ \$2,820.00 ...	8,460.00
One Assistant Steno-Clerk	2,400.00

Total, Item 2

\$ 17,700.00

Item 3. Auditor's Office—Administrative Expense:

Auditor—County Supplement	\$ 2,780.00
Deputy Auditor	4,840.00
First Assistant Steno-Clerk	3,300.00
Four Assistant Steno-Clerks @ \$2,820.00 each	11,280.00
Equalization Board	2,000.00
Travel for Executive Secretary for County Board of Assessors @ 7¢ per mile not to exceed	1,000.00

Total, Item 3

\$ 25,200.00

Item 4. For Policing Horry County:

Sheriff	\$ 6,270.00
Deputy Sheriffs, Two @ \$4,500.00	9,000.00
Secretary to Sheriff's Office and Coroner	3,300.00
County Police Commissioners, 6 @ \$440.00 each	2,640.00

Chief of County Police	5,596.80
County Police, 8 @ \$4,500.00 each	36,000.00
Secretary to County Police Commission	2,820.00
County Police for Windy Hill Beach	2,640.00
County Police for Atlantic Beach	720.00
County Jailors at Nixons Cross Roads 2 @ \$2,100.00 each; <i>provided</i> , that said jailors shall be under the jurisdiction of the County Police Commission	4,197.00
Constable assigned to the office of Magisterial District No. 1; <i>provided</i> , that he shall serve all Criminal and Civil process issued out of said Magisterial Office and neither the county police nor the sheriff's department shall serve any crimi- nal or civil process issued out of said magisterial office unless the same is required to be handled in accordance with law by the sheriff.	2,200.00
Travel for Constable assigned to Magistrate of District No. 1	600.00
Jailor for Horry County	2,970.00
Two assistant jailors and night radio operators @ \$2,880.00 each	5,760.00
<i>Provided</i> , that appropriate uniforms shall be fur- nished by the county.	
Jail Matron	1,400.00
For operation and maintenance of County-owned Law Enforcement equipment	21,600.00
Horry County Jail at Conway	18,000.00
<i>Provided</i> , that all municipal corporations of Horry County shall be charged the sum of \$1.50 per day for the dieting of prisoners in any County Jail.	
Conveying Prisoners (For out of County meals only)	500.00
For purchasing Law Enforcement Vehicles and Equipment	15,000.00
Total, Item 4	\$141,213.80

Item 5. Probate Judge's Office—Administrative Expenses:	
Probate Judge	\$ 4,950.00
Deputy Probate Judge	3,300.00
Part time Steno-clerk	800.00
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Total, Item 5	\$ 9,050.00
Item 6. Coroner, Probation and Tax Collector's Offices—Administrative Expenses:	
Coroner	\$ 1,500.00
Travel for Coroner	1,500.00
Assistant Steno-Clerk to Tax Collector	2,820.00
Part Time Secretary for Probation Office	700.00
Travel for Probation Officer	600.00
Inquest and Lunacy	1,200.00
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Total, Item 6	\$ 8,320.00
Item 7. County Court Judge's Office—Administrative Expenses:	
County Judge	\$ 12,000.00
Court Stenographer for County Court	3,900.00
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Total, Item 7	\$ 15,900.00
Item 8. Magistrate's Office—Administrative Expenses:	
Magistrate at Aynor—Salary	\$ 2,400.00
Magistrate at Bayboro—Salary	2,400.00
Magistrate at Myrtle Beach—Salary	2,400.00
Magistrate at Green Sea—Salary	2,400.00
Magistrate at Nixons Cross Roads—Salary	2,400.00
Magistrate at Loris—Salary	2,400.00
Magistrate at Floyds—Salary	2,400.00
Magistrate at Conway—Salary	3,000.00
Magistrate's Secretary at Conway	2,820.00
Wages Account for Steno-Clerk for Magistrates' Courts other than Magisterial District 1	800.00
<i>Provided, Magistrate's Secretary must be able and it shall be her duty to take down in shorthand and transcribe the testimony in all cases appearing in the Magistrate's Court, where such testimony is requested by either side of any liti-</i>	

gated case. *Provided*, further, that the funds last provided for above shall be disbursed only upon approval by the county board of commissioners upon certification by the magistrate concerned that the recipient has performed stenographic services concerning trials only tried before the magistrate. *Provided*, further, that a list of available secretaries shall be submitted to the County Purchasing Agent of those qualified to take and transcribe shorthand and with a knowledge of typing, from each of the magistrates prior to disbursement of any of the above fund; *provided*, further, that a request shall be made from the magistrate to the County Purchasing Agent prior to trial, so that an adequate record may be made by the Purchasing Agent of the names of the respective parties to the trial or hearing. *Provided*, Further, that no more than \$15.00 may be paid for any one trial or hearing. *Provided*, further, that during the General Sessions Court all county police officers shall be available to the Court and available to aid and assist the Sheriff in calling witnesses and all other work necessary for the orderly procedure of the Court. *Provided*, further, that all county police officers shall serve all subpoenas and civil papers sent to their area by the Sheriff or attorneys or any other officer of the Court. Each county police officer shall make his return when called for, on any civil or criminal service. *Provided*, further, no Magistrate in Horry County shall receive compensation for his services until his monthly report is accompanied by a probated statement to the effect that regular office hours have been established. Each magistrate shall establish regular office hours at his own discretion, consisting of at least four hours per day, and as much longer as necessary to transact the business of the office; and that magistrates in the incorporated areas of the county maintain office hours the same as now

maintained or as long as necessary to transact the business of the office, not including Sundays or legal holidays. *Provided*, further, that any recommendations made by the certified public accountant as set forth by his annual audit, and approved by the county board of commissioners, shall have the full force and effect of law and no department head in Horry County shall receive his salary until such recommendations as approved by the county board of commissioners have been adopted and put in full force and effect by such department head.

Total, Item 8	\$ 23,420.00
Item 9. (A) County Board of Commissioners—Administrative Expenses:	
Chairman of County Board—Salary	\$ 6,270.00
Commissioners—Travel expenses 6 @ \$440.00 each	2,640.00
Clerk of County Board and Purchasing Agent	5,000.00
Travel for Purchasing Agent	1,000.00
Secretary to County Board and Delegation	3,036.00
<i>Provided</i> , that said secretary shall be employed by the County Board and a majority of the Delegation, including the Senator.	
Courthouse Custodian—employed by County Board	3,000.00
Travel for Custodian	480.00
Horry County Development Board	20,000.00
<i>Provided</i> , that out of the above sum appropriated, the salaries of personnel shall be approved by the Horry County Development Board and a majority of the Delegation, including the Senator.	
Purchasing Agent's Account—For Purchasing Agent's Budget for purchasing supplies and equipment for county offices	40,000.00
Charities and Donations to be distributed by County Board in case of emergencies	1,500.00
Audit of County Offices	2,500.00
County Attorney	1,200.00

(B) Miscellaneous Expense—

Disbursed as herein provided:

Public Buildings	16,000.00
Rent Account	3,540.00
Insurance on Public Buildings	5,500.00
Social Security and Retirement	27,000.00
Office Bonds and Contingent Account	30,000.00
Officials' Bonds	2,000.00
Workmen's Compensation	3,000.00
County Employees Group Insurance Fund	4,000.00
Game Wardens' Travel, 5 @ \$40.00 per month	2,400.00
Clerk—Horry County Registration Board	360.00
County Service Officer—Office help	1,400.00
Service Officer—Travel	1,500.00
National Guard—Conway	1,600.00
National Guard—Myrtle Beach	1,600.00

Total, Item 9\$186,526.00

Item 10. Other Administrative Expense:

County Farm Demonstration Agent's Office:	
County Agent—Supplement	\$ 466.00
First Assistant County Agent	466.00
Two Assistant County Agents	700.00
Boys' 4-H Club Work (White)	250.00
Girls' 4-H Club Work (White)	250.00
Girls' J. H. A. Work (Ocean Drive)	800.00
Women's Home Demonstration Agent's Office:	
Material	75.00
Office Supplies	75.00
Negro Home Demonstration Agent	2,100.00
Material (Home Demonstration)	50.00
Negro Home Demonstration Agent's office help	2,100.00
Negro 4-H Club Work (Boys)	100.00
Negro 4-H Club Work (Girls)	100.00

Provided, that no new personnel attached to the County Farm Demonstration Agent's Office shall receive the supplement hereinabove provided until they have first worked with such office for a period of at least two years.

Total, Item 10\$ 7,532.00

Item 11. Appropriations for Miscellaneous Boards and Commissions:

Horry County Marketing Commission	10,000.00
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Provided, that out of the above sum appropriated, the Manager of the Horry County Farmers' Market shall receive such sum for salary as authorized by the Horry County Marketing Commission, and a majority of the Delegation, including the Senator.

Coastal Carolina Junior College (Scholarship Fund)	5,000.00
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Civil Defense	2,000.00
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The funds are to be disbursed only by approval of a majority of the Delegation, including the Senator.

Total, Item 11	\$ 17,000.00
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Item 12. (A) Health Department Expenditures:

County Health Unit:

Administrative Expenses	\$ 21,940.00
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For Indigent and needy Cancer and Crippled Children patients	1,000.00
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T. B. Association	1,000.00
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(B) Welfare Department—

Emergency Public Welfare—Assistance to be disbursed on a quarterly basis	8,000.00
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Two Case Welfare Workers	4,227.30
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Hospitalization, Foster Boarding Home Children	500.00
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Welfare Department Administrative	2,010.00
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Additional telephone service	750.00
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Provided, that this money shall be disbursed only on approval by the governing board of the Horry County Department of Public Welfare.

Vital Statistics	1,200.00
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Total, Item 12	\$ 40,627.30
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Item 13. County Roads and Chain Gang:

Salaries (Guards, Truck drivers, Machine Operators, etc.)	\$ 93,500.00
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Provided, that each employee shall receive a ten per cent annual increase in wages over that received during fiscal year 1961-1962, and shall receive his pay during inclement weather the same as any other time.

Chain Gang (Feeding prisoners, clothing and supplies, etc.)	34,000.00
County Roads	100,000.00
Purchasing New Machinery and repairs	65,000.00

Total, Item 13	\$292,500.00
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Item 14. Horry County Memorial Library	\$ 16,000.00
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Total, Item 14	\$ 16,000.00
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GRAND TOTAL	\$851,309.10
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ESTIMATED REVENUES AND AVAILABLE CREDITS:

Income Tax	\$ 85,168.20
Gasoline Tax	182,745.53
Liquor Tax	42,167.93
Beer and Wine Tax	10,763.83
Insurance License Fees	35,992.13
Probate Judge, Treasurer, Auditor, Tax Collector, Clerk of Court—Fees	67,939.91
Clerk of Court Fines and Magistrates' Fines ..	96,641.00
Bank Tax	4,441.79
Miscellaneous Revenues	35,500.00
Fees from Service of Civil Process and Bad Check Warrants	5,539.31

Total Estimated Revenue	\$566,899.63
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TOTAL AMOUNT TO BE RAISED BY

TAXES	\$284,409.47
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SECTION 2. The County Board of Commissioners is hereby instructed and required to use the money herein appropriated for the purposes specified and for no other purposes, and it is hereby forbidden in any way to overdraw or exceed the appropriation herein

made for any purpose whatsoever, except upon the written consent of a majority of the Delegation, including the Senator. For the items covered in Section 1 of this act, it shall be unlawful for the clerk of the County Board of Commissioners or the Purchasing Agent of Horry County to draw or sign any warrant or drafts on the county treasurer overdrawing any appropriation or authorization. For the items covered in Section 1 of this act, it shall be unlawful for the Treasurer of Horry County to pay from funds in his hands any amount not covered by the appropriation herein made or authorized by the written consent of a majority of the Delegation, including the Senator. Any appropriations herein made may be increased or decreased by the written consent of a majority of the Delegation, including the Senator. *Provided*, that the County Board of Commissioners of Horry County is hereby instructed to prorate the amount of money herein appropriated for County Roads and Chain Gang and all other divisions and departments of the county government, except regular salaries which are to be paid monthly, on a quarterly basis, to the end that no department shall expend more than one-fourth of the appropriated funds during any quarterly period of the fiscal year beginning July 1, 1962, and ending June 30, 1963. *Provided*, further, that the amounts appropriated in Item 13 of this act shall be expended only after the written approval and authorization of a majority of the County Board of Commissioners. The County Board of Commissioners shall use as much as may be necessary of the amounts appropriated therein for setting up a road program in Horry County, which program shall be carried out by the County Supervisor under the direction and control of the County Board of Commissioners.

SECTION 3. The jailor and/or matron shall receive no fees for dieting prisoners. The Horry County Police Commission shall have the duty to inspect the Horry County Jail at least once a month to see that it is kept clean at all times and that a jailor or county police officer is on duty at all times. The purchasing agent is authorized to make purchases of all food, supplies, equipment and any and all things necessary for the proper maintenance of the county jail and the food and clothing of the prisoners therein. The jailor is to act as jailor only, and he shall make no arrests outside of the jail, nor shall he be allowed any compensation for the conveyance of prisoners. No person shall receive compensation for conveyance of prisoners.

SECTION 4. The County Board of Commissioners shall employ a certified public accountant (CPA) for the purpose of auditing semi-annually the books and examining the offices of Horry County, including the department of education, department of public welfare and the department of health and the County Board of Commissioners may make payment for such services not to exceed two thousand five hundred dollars, as provided in this act. Each member of the Legislative Delegation from Horry County shall be furnished a copy of the audit by the accountant making it.

SECTION 5. The County Board of Commissioners shall employ some suitable person who shall be designated custodian of the Horry County Courthouse and grounds, said custodian to serve in such capacity at the pleasure of the Board of Commissioners. The custodian shall be charged with the responsibility for all janitor service at the Horry County Courthouse, the Horry County Department of Education Building, the county office building on 4th Avenue, and the Horry County Memorial Library. The custodian of the courthouse and grounds is further charged with the responsibility of maintaining the grounds and protecting the shrubbery and such other duties as may be imposed upon him by the County Board of Commissioners. The custodian shall be given such assistants as the County Board of Commissioners may deem necessary.

SECTION 6. A majority of the Delegation, including the Senator, may employ a county attorney and pay same an amount not to exceed that provided for this purpose in this act. It shall be the duty of the attorney selected by the Legislative Delegation to advise all boards, magistrates, and officers of the county and, in addition thereto, it shall be his duty to represent the county in all cases wherein the county's interest is affected, and he shall represent the sheriff's office and the county police in criminal proceedings when called upon.

SECTION 7. Before taking office each magistrate shall give bond in a sum to be fixed by the County Board of Commissioners, conditioned upon the faithful performance of his duties. The premiums on the bonds shall be paid by the county. The magistrates and coroner shall be required to put all material state witnesses under bond as now provided by law, and at least ten days before the meeting of the Court of General Sessions shall lodge all papers pertaining to said court with the clerk of court, except cases which happen within the said ten-day period, and cases where defendants have demanded

preliminary hearings in writing and for good cause the magistrate has been unable to give a preliminary hearing. It shall be the duty of the sheriff and the chief of the county police to confer with the magistrates from time to time, familiarizing themselves with pending cases, attend inquests and see that witnesses are subpoenaed, placed under bond and the paper lodged in the clerk's hands as herein provided. The sheriff and the county police shall cooperate with and assist the magistrates in preserving the peace and good order of the community.

SECTION 8. All books, supplies and material purchased under the provisions of this act shall be purchased by the Horry County Purchasing Agent as provided by special act.

SECTION 9. The Auditor of Horry County is hereby required to put the address of the taxpayer on each treasurer's duplicate. The Treasurer of Horry County is hereby authorized and directed to mail to taxpayers notice of taxes due in his office. Both the auditor and treasurer shall pay for the work required in this section from funds provided for clerical help in their respective offices, as provided for by this act. The failure of the treasurer to mail any tax notice shall in no wise relieve the taxpayer of obligation to pay such tax.

No county official or employee who is any way connected with the levying or collecting of taxes shall bid on any property at any tax sale, direct, indirect, or through a third party. Any violation of this provision shall immediately be brought to the attention of the County Board of Commissioners, and shall be prima facie cause for removal from office upon receipt of a recommendation to that effect by the County Board of Commissioners to the Governor or other proper official, and shall be prima facie cause for the immediate termination of employment.

SECTION 10. Twenty per cent of the liquor, wine and beer tax allotted to Horry County shall, as received by the treasurer, be paid to the Horry County Memorial Library Commission; the Commission shall use the funds for the operation of the Horry County Memorial Library, for the purchase of equipment, books, and other necessities for the Horry County Memorial Library; and for the equipping and purchasing of equipment for the school libraries of Horry County, the said funds to be spent and allotted to the libraries as the Library Commission, or a majority thereof, shall determine.

SECTION 11. A majority of the Delegation, including the Senator, shall employ the Horry County Tax Collector and up to four Deputy Tax Collectors. The Tax Collector shall receive as compensation in lieu of salary of the sum of one dollar for each execution collected and two per cent commission of all taxes collected. The Deputy Tax Collector shall receive one dollar on each execution collected.

Provided, the Horry County Board of Commissioners shall prescribe the necessary procedure for the keeping of records and making of reports for the office of the Tax Collector, not otherwise covered by existing law, subject to the approval of a majority of the Legislative Delegation, including the Senator.

SECTION 12. The clerk of the County Board of Commissioners and the Horry County Purchasing Agent shall furnish to the Senator and each member of the House Delegation, monthly, a statement in detail showing each expenditure made during the month, for what purpose expended and amount of the expenditure, and the balance remaining in the account from which the expenditure was made. The clerk of the County Board of Commissioners and the Horry County Purchasing Agent shall make a written report to each member of the County Board of Commissioners of his activities during the month and proposals that he intends to make to the County Board of Commissioners five days prior to the regular meetings of the County Board of Commissioners.

SECTION 13. The County Board of Commissioners shall furnish to the Senator, and each member of the House Delegation, a statement before the fifteenth day of February of each year, showing their activities during each quarterly period, along with a report of the financial status of the account and any recommendations that they see fit to make to the delegation. The County Board of Commissioners shall furnish to the Senator and each member of the Legislative Delegation a statement in detail showing a proposed county appropriations act for the following year and also any legislation which they think should be enacted.

SECTION 14. No magistrate shall receive any part of fees, compensation or mileage in connection with tax execution warrants except the one dollar allowed him by law. No county official shall receive any fees or compensation unless provided by law.

SECTION 15. The house now owned by Horry County, on Second Avenue in the Town of Conway, shall be used by the jailor of Horry

County as his residence. No part of the county jail shall be used for residential purposes.

SECTION 16. Any special authorization for county purposes to be hereafter made from the contingent account in Item 9B of Section 1 of this act by the Senator and members of the House of Representatives in excess of one hundred dollars shall have the approval of the Board of County Commissioners of Horry County or a majority thereof.

SECTION 17. All regular county employees, receiving regular salaries, shall be allowed two weeks vacation with pay, and the administrative heads of all departments are hereby instructed and required to arrange their work so that each employee of the county shall be allowed the two weeks vacation with pay with the least possible inconvenience to the work of the office or department affected. In addition the following legal holidays and no others shall be observed by the employees of Horry County: New Year's Day, Independence Day—July fourth, Labor Day—the first Monday in September, Armistice Day—November eleventh, Thanksgiving Day and Christmas Day. Whenever any of these fall on Sunday, the Monday following is prescribed. No person shall receive any days off other than those herein provided, and in the event of any loss of time from work, the employee shall forfeit his right to compensation for the day or days he is absent from work.

SECTION 18. The Clerk of Court shall, after each term of court, make a detailed report to the County Board of Commissioners and the Legislative Delegation on the amount of jury and witness fees spent for said term of court; *provided*, that only two regular bailiffs shall be employed in Horry County.

SECTION 19. The County Board of Commissioners is hereby instructed to require out of the jurors and witness fees an itemized statement of all disbursements, such statement to be made after each term of court.

SECTION 20. The Clerk of Court's bond shall be twenty-five thousand dollars.

SECTION 21. Immediately after Magistrate and City Courts all prisoners sentenced to County Chain Gang shall be transferred to the County Jail by the county police or Sheriff's Deputy serving the court and a Deputy Sheriff or the county police shall be instructed by

the proper authority to transfer city prisoners to county jail on the same day of trial.

SECTION 22. All travel pay hereinabove provided for shall be paid on a monthly basis of not more than one-twelfth of the total amount appropriated therefor. No disbursement therefor shall be made unless a verified itemized statement of the travel involved shall be presented to the County Board of Commissioners for their approval.

SECTION 23. Any new employee filling any position for which funds are appropriated by this act shall receive ten per cent less during the first six months of employment, and five per cent less during the next six months of employment, than the amount appropriated for such position.

SECTION 24. All acts or parts of acts inconsistent herewith are repealed. If any section or provision of this act shall be held unconstitutional, such holding shall not affect, impair, or invalidate any of the remaining sections or provisions.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R750, H2168)

No. 1131

An Act To Transfer Certain Funds In Jasper County; To Provide For The Borrowing Of The Money So Transferred; And To Provide For Its Repayment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County to transfer funds.—The Treasurer of Jasper County is directed to transfer from the general funds of the county to the sinking fund the sum of five thousand six hundred dollars.

SECTION 2. Jasper County Marketing Association may borrow money.—The Jasper County Marketing Association is authorized to borrow the funds transferred in Section 1 from the county sinking fund for a period not to exceed five years with interest thereon at two per cent per annum. The indebtedness shall be evi-

denced by a note or notes signed by the members of the Jasper County Marketing Commission.

SECTION 3. Payment.—The revenues in excess of normal operating expenses derived from the operation of the Jasper County Market are hereby irrevocably pledged for the payment of the note or notes.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R754, S508)

No. 1132

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution Of This State, Relating To The Limit Of Bonded Indebtedness, So As To Permit Jasper County To Incur Bonded Indebtedness Up To Twenty Per Cent Of The Assessed Value Of The Taxable Property Therein.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Jasper County.—There is proposed the following amendment to Section 5, Article X, of the Constitution of this State: add at the end of the section the following proviso: "*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to Jasper County, and the county may incur bonded indebtedness to an amount not exceeding twenty per cent of the assessed value of all taxable property therein."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5, Article X, of the Constitution of this State be amended so as to permit Jasper County to incur bonded indebtedness up to twenty per cent of the assessed value of the taxable property therein?"

In favor of the amendment ☐
Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment,' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment.'"

(R1077, H2542)

No. 1133**An Act Transferring Certain Funds In Jasper County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County may transfer certain funds.—The Treasurer of Jasper County is hereby directed to transfer from the general fund the following: twenty-five hundred dollars to the Civil Defense Fund and fifteen hundred dollars to the Development Board Fund.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1176, H2717)

No. 1134

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Jasper County For The Fiscal Year Beginning July 1, 1962; To Provide For The Expenditure Thereof; And To Authorize The Borrowing Of A Sufficient Sum To Meet The Appropriations Made For The Year Beginning July 1, 1961.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied upon all the taxable property of Jasper County seventy-six mills by the auditor from assessment of the property therein which, together with fines, forfeitures and taxes collected by various officers and all income of the county, shall raise the amount herein appropriated and for the purposes herein stated.

Item 1. Roads and Bridges	\$ 24,000.00
<i>Provided</i> , that the maintenance and operation of county-owned cars will be paid from this account upon the approval of the county board of commissioners. <i>Provided</i> , further, that uniforms for the sheriff's department will be purchased from this account.	
Total	\$ 24,000.00
Item 2. Clerk of Court:	
Salary, Clerk of Court	\$ 4,922.00
Salary, Deputy Clerk	2,054.00
Total	\$ 6,976.00
Item 3. Sheriff's Office:	
Salary, Sheriff	\$ 4,922.00
Two Deputy Sheriffs @ \$4,000 each	8,000.00
Salary, Clerk	2,054.00
<i>Provided</i> , county cars shall be for the official use only of the Supervisor, Sheriff and two Deputy Sheriffs, and shall be clearly marked.	
Total	\$ 14,976.00
Item 4. Treasurer's Office:	
Treasurer's salary—an amount sufficient to supplement the amount provided by the State, so as to make his total salary \$4,922.00	
	\$ 1,424.00
Salary for clerk for Auditor and Treasurer	2,568.00
Total	\$ 3,992.00
Item 5. Auditor's Office:	
Auditor's salary—an amount sufficient to supplement the amount provided by the State so as to make his total salary \$4,922.00	
	\$ 1,424.00
Total	\$ 1,424.00
Item 6. Board of Education:	
Salary, Superintendent of Education, an amount sufficient to supplement amount provided by the State so as to make his total salary \$4,922.00 ..	
	\$ 549.50

	Salary, Clerk	2,400.00
	Members of Board of Education, five @ \$400.00 each	2,000.00
	Total	\$ 4,949.50
Item 7.	Judge of Probate's Office:	
	Salary, Judge of Probate	\$ 4,922.00
	Salary, Clerk	1,027.00
	Total	\$ 5,949.00
Item 8.	Coroner's Office:	
	Salary, Coroner	\$ 571.00
	Total	\$ 571.00
Item 9.	County Board of Commissioners:	
	Salary, Supervisor of Roads	\$ 4,922.00
	Salary, four Commissioners @ 856.00	3,424.00
	Salary, Clerk	1,027.00
	<i>Provided</i> , the county board of commissioners shall assume the responsibility of county roads and bridges in their respective townships and shall program all construction and maintenance. The program of work will be outlined and approved by the county board every first Monday. <i>Provided</i> , further, that Gillisonville Square and Courthouse grounds shall be maintained and kept up by the Supervisor.	
	Total	\$ 9,373.00
Item 10.	Magistrates and Constables:	
	Magistrate at Ridgeland	\$ 2,925.00
	Constable at Ridgeland	1,361.00
	Magistrate at Hardeeville	2,450.00
	Constable at Hardeeville	958.00
	Magistrate at Grays	997.00
	Constable at Grays	958.00
	Magistrate at Tillman	997.00
	Constable at Tillman	958.00
	Constables' travel	1,200.00

Provided, that the constables at Ridgeland and Hardeeville shall receive thirty dollars per month as travel supplement; *provided*, further, that the constables at Grays and Tillman shall receive twenty dollars per month travel supplement.

		<hr/>
Total		\$ 12,804.00
Item 11. County Jail:		
Salary, Jailor		\$ 2,311.00
<i>Provided</i> , sheriff may use jailor as deputy when deemed advisable.		
Dieting of prisoners (\$1.50 per day)		2,400.00
Jail Expense		600.00
		<hr/>
Total		\$ 5,311.00
Item 12. Court Expense:		
Court Expenses		\$ 2,000.00
<i>Provided</i> , that bailiff and jurors shall be paid seven dollars per day.		
		<hr/>
Total		\$ 2,000.00
Item 13. Health Work:		
Health Unit, plus balance from previous year ..		\$ 4,594.00
		<hr/>
Total		\$ 4,594.00
Item 14. Public Buildings		\$ 14,000.00
<i>Provided</i> , that no private telephones in private residences will be paid from this account. Any official serving Jasper County whose duties may require long distance calls after office hours will be provided with a credit card issued by the county board of commissioners.		
		<hr/>
Total		\$ 14,000.00
Item 15. Farm and Home Demonstration Work:		
Expense, County Agent		\$ 500.00
Expense, Home Demonstration Agent		500.00
Stenographer for County Home Demonstration and County Agents		615.00

Assistant County Agent, Salary	2,653.00
Boys' 4-H Club Work	125.00
Girls' 4-H Club Work and Farm Women's Work	275.00
Demonstration Supplies for Home Demonstration Agent	50.00
Stamps, incidentals and office supplies for County and Home Demonstration Agents	100.00
Corn Contest	100.00
Total	\$ 4,918.00
Item 16. Rent:	
Forestry Office	\$ 96.00
Farm Security Administration Office	420.00
Total	\$ 516.00
Item 17. County's portion of support to public schools ..	\$242,080.00
<i>Provided</i> , that all school budgets will be submitted to the county board of education prior to February first of each year. <i>Provided</i> , further, that the county board of education shall advise the delegation of the school needs for each fiscal year prior to March first of each year.	
Total	\$242,080.00
Item 18. Miscellaneous:	
County Attorney	\$ 794.00
<i>Provided</i> , he shall handle all small county cases and advise all county officials, except the sheriff on criminal matters.	
County Service Officer, supplement to salary ..	257.00
Janitor, Courthouse and Grounds	1,905.00
Janitor, Agricultural Building, Welfare Office and Health Center	743.00
<i>Provided</i> , that this shall be taken care of by the Supervisor.	
Three Forestry Wardens @ \$450.00	1,350.00
<i>Provided</i> , that all wardens receiving this travel must be under the supervision of the Jasper County Forestry Board.	
Travel outside county	1,200.00

The following county officials, when traveling outside of Jasper County on official business, shall be paid seven cents per mile and expenses: Senator, Representative, Sheriff, Deputy Sheriffs, Supervisor, Superintendent of Education, Judge of Probate, Auditor, Treasurer, Clerk of Court, County Attorney and Service Officer. Also, these officials may draw seven dollars per day for expenses when they are out of the county on official business overnight. *Provided*, that all claims are approved by the County Commissioners. *Provided*, further, that prior approval of the Supervisor shall be obtained for the purpose of making trips outside of the county except for law enforcement officers.

Board of Assessors and Equalization	2,500.00
Secretary, Board of Registration	578.00
Public Welfare Fund	4,440.00
Plus any balance from previous year. This shall be used by the Public Welfare Board.	
Attendance Teacher Charity Fund	200.00
Post Mortems, Inquests and Lunacies	600.00
<i>Provided</i> , Coroner's and Magistrates' jurors shall be paid two dollars per day.	
Vital Statistics	400.00
There is hereby appropriated the necessary fund to supplement the cost of operation of the Ridgeland Hospital; <i>provided</i> , that the books and records of the hospital be audited along with the county books	
Physician	12,000.00
Printing, Postage, Stationery and Advertising	300.00
State Retirement System	4,000.00
Social Security	2,600.00
Library Fund	3,000.00
National Guard Fund and Janitorial Service	2,550.00
<i>Provided</i> , such fund shall be used for the payment of fuel, lights and telephone.	
National Guard Grounds beautification	2,000.00
Jasper County Farm Bureau Marketing Commission	200.00
	200.00

Jasper County Development Board	7,000.00
Bond Premiums	800.00
Burial Expense, Paupers	200.00
<i>Provided</i> , that this expense be approved by the Public Welfare Board.	
Forestry Ranger	321.00
Fire Tower Wardens	770.00
School Lunch Program	2,000.00
<i>Provided</i> , this shall only be paid upon vouchers approved by the school lunch supervisor.	
Hospitalization	6,000.00
<i>Provided</i> , this shall be paid when approved by the Public Welfare Board; and <i>provided</i> , further, that a list of patients and the amount be made available to the Board of Commissioners at its request.	
Miscellaneous Contingent Fund	10,000.00
<i>Provided</i> , that this fund shall be used upon written approval of the legislative delegation as it deems necessary to supplement any account except salaries.	
Audit of County Books	2,000.00
<hr/>	
Total	\$ 70,908.00
Item 19. Civil Defense	\$ 3,000.00
<hr/>	
Total	\$ 3,000.00
Item 20. Registration Board, three members @ \$240.00 each	\$ 720.00
<hr/>	
Total	\$ 720.00
<hr/>	
GRAND TOTAL	\$433,061.50
Less Estimated Revenues other than Taxes:	
Fines and Licenses	\$ 45,000.00
Income Tax	19,000.00
Beer and Wine Tax	2,500.00
Liquor Tax	8,500.00

Gas Tax (1 cent)	42,000.00
Miscellaneous	13,000.00

Total	\$130,000.00
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Amount to be raised by taxation	\$303,061.50
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SECTION 2. The townships' assessors and members of the county board of equalization shall receive ten dollars per day for the time actually employed and seven cents per mile for necessary travel.

SECTION 3. The supervisor is hereby authorized and required to pay on the first Monday in May to the widows of Confederate Veterans living at that time and residents of Jasper County sixty dollars each.

SECTION 4. The supervisor is hereby prohibited from issuing a check to any magistrate until the magistrate has filed with him a statement of the names of all parties for whom warrants have been issued during the previous month and the disposition of each case and a receipt from the treasurer.

SECTION 5. The grand jury shall let bids for the auditing of the county books and of Ridgeland Hospital books and shall award the bid to the lowest competent accountant. The treasurer is hereby empowered to pay for same from the county general fund. *Provided*, that a copy of this audit shall be furnished to each member of the legislative delegation immediately upon completion of the report. The county attorney is to approve the legality of the contract.

SECTION 6. It is hereby made unlawful for the supervisor, the county board or any other officer of the county to exceed the appropriation set forth. If any one overspends an appropriation or spends the appropriation for any purpose not specifically provided herein, it shall be deemed an act of official misconduct and the officials so offending shall be forthwith removed from office.

SECTION 7. The clerk of court is hereby authorized and required to pay jurors seven cents' mileage for each day's attendance upon court.

SECTION 8. No claims shall be paid by the supervisor or the county board unless the same are itemized and probated.

SECTION 9. Any county official or employee who falsifies any claim against the county shall be subject to immediate dismissal or removal from office.

SECTION 10. The farm demonstration agent and the home demonstration agent shall be appointed by proper authorities by and with the consent of Jasper County's Legislative Delegation.

SECTION 11. In order to meet the appropriations provided for in this act, the treasurer, supervisor and the county commissioners of Jasper County are authorized and empowered to borrow, as and when needed, such sums as may be necessary, not exceeding a total of thirty-five thousand dollars, and at a rate of interest not exceeding five per cent per annum, to meet the appropriations and expenditures herein made. The officers shall execute notes for Jasper County as evidence of such indebtedness and may pledge the taxes here-in levied.

SECTION 12. The Supervisor of Jasper County, before purchasing or placing an order for equipment, material, supplies, goods, wares or merchandise, or for anything whatsoever needed and used for county purposes in amount in excess of fifty dollars, shall advertise, giving reasonable notice, for bids in some newspapers published in Jasper County asking for bids for such equipment, materials, supplies, goods, wares or merchandise as may be needed, and shall award the contract to the lowest responsible bidder or the supervisor may reject any or all bids.

SECTION 13. The County Treasurer of Jasper County, upon the written direction of a majority of the Jasper County Delegation in the General Assembly, is hereby authorized and empowered to lend from any available funds of Jasper County, to the school district or county board of education from the county general fund, or the county surplus fund, such sum or sums of money as may be directed in writing, to any school district or county board of education in Jasper County in need of funds.

SECTION 14. The county supervisor is hereby authorized to grant up to ten days' annual leave with pay to county employees and up to ten days' annual sick leave with pay, provided the employee is under a doctor's care.

SECTION 15. Any funds accruing to the general fund of the county in excess of the amounts appropriated by this act may be trans-

ferred to a fund and be utilized for renovation of the courthouse upon approval of the legislative delegation.

SECTION 16. Should the General Assembly in any subsequent year fail to enact an appropriations act for Jasper County the appropriations and tax levy herein set forth shall be the appropriations act for such subsequent year for Jasper County.

SECTION 17. Should a deficit result from the appropriations made in the 1961-1962 county appropriations act there is hereby appropriated a sufficient amount to cover this deficit.

SECTION 18. The Treasurer of Jasper County is authorized upon the written approval of the legislative delegation to borrow such sums as may be necessary to meet the obligations set forth in the county appropriations act beginning July 1, 1961.

SECTION 19. There is hereby appropriated five hundred dollars for the purchase of a recording machine to be used in magistrates' trials and coroner's inquests. This machine shall be kept in the office of the clerk of court.

SECTION 20. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1226, H2598)

No. 1135

An Act To Make Appropriations For The Operating Expenses Of Kershaw County For The Fiscal Year 1962-1963, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax sufficient to meet the appropriations in this act to be raised by a levy upon all the taxable property of Kershaw County is hereby levied on such property for ordinary purposes for the fiscal year beginning July 1, 1962, and ending June 30, 1963, and shall be expended as herein provided, the amount of such levy to be determined by the auditor and treasurer of the county upon the approval of a majority of the legislative delegation. The funds accruing to the county from the State on account of any other taxes paid over

by the State, or any department of the State government for general county purposes, are likewise appropriated along with the funds received from such levy.

SECTION 2. The county auditor and treasurer are also directed to levy a tax sufficient to raise an amount sufficient to retire the principal and interest due on the county hospital bonds, together with an amount not to exceed the proceeds of a seven mill levy to be utilized to defray the general operating expenses of the Kershaw County Memorial Hospital including cost of charity care, such levy to be approved by the delegation.

SECTION 3.

Item 1. Administrative Department:

A. Auditor's Office:

- (1) Salary of Auditor (county's portion):
 - a. July 1, 1962 to March 1, 1963\$ 1,146.64
 - b. March 1, 1963 to July 1, 1963 913.32
 - (2) Deputy Auditor:
 - a. July 1, 1962 to March 1, 1963 2,440.00
 - (3) Clerk:
 - a. March 1, 1963 to July 1, 1963 880.00
 - (4) Board of Assessors 1,500.00
- Provided*, that each member shall receive fifteen dollars per day while working, plus seven cents per mile travel while engaged in work.

Total\$ 6,879.96

B. Treasurer's Office:

- (1) Salary of Treasurer (county's portion)\$ 2,740.00
- (2) Clerk to Treasurer 2,640.00

Total\$ 5,380.00

C. Tax Collector's Office:

- (1) Salary, Tax Collector\$ 3,840.00
- (2) Travel, Tax Collector 1,200.00
- (3) Clerk to Tax Collector 2,640.00

Total\$ 7,680.00

Total, Item 1\$ 19,939.96

Item 2. Judicial Department:

A. Clerk of Court:

- | | |
|--|-------------|
| (1) Salary (Clerk to Circuit Court and Register of Mesne Conveyance) | \$ 6,300.00 |
| (2) Deputy Clerk of Court | 2,880.00 |
| (3) Salary (two additional clerks, \$2,640.00 each) .. | 5,280.00 |

Total	\$ 14,460.00
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B. Master:

- | | |
|--|-------------|
| (1) Salary of Master | \$ 1,800.00 |
| Salary of Master as Judge of Juvenile Domestic Relations and Special Court | 4,500.00 |
| (2) Secretary to Master and Judge, Salary | 2,400.00 |
| (3) Additional Secretarial Assistance for Master .. | 600.00 |
| (4) Office Rent | 600.00 |

Total	\$ 9,900.00
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C. Court of General Sessions and Common Pleas:

- | | |
|--|--------------|
| (1) Jurors, witnesses, bailiffs and court crier | \$ 10,000.00 |
| <i>Provided, bailiff, jurors, clerk for probation officer and court crier shall be paid eight dollars per day for each day actually engaged in their duties.</i> | |
| (2) Supplement to Fifth Circuit Court Reporter .. | 700.00 |
| (3) Kershaw County Probation Officer, Salary Supplement | 300.00 |
| <i>Provided, that the Probation Officer shall be available to assist the Judge of the Juvenile-Domestic Relations and Special Court as may be required by the Judge thereof.</i> | |

Total	\$ 11,000.00
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D. Probate Judge:

- | | |
|--|-------------|
| (1) Salary, Probate Judge | \$ 6,300.00 |
| (2) Salary, Clerk to Probate Judge | 2,640.00 |

Total	\$ 8,940.00
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E. Magistrates:

- | | |
|--------------------------------------|-------------|
| (1) Salaries: | |
| Magistrate for DeKalb Township | \$ 4,100.00 |
| Magistrate for Town of Kershaw | 1,800.00 |

Magistrate for Flat Rock Township	860.00
Magistrate for Buffalo Township	1,320.00
Magistrate for West Wateree Township	1,920.00

Provided, that the Magistrate for DeKalb Township shall keep same office hours as other court-house officials.

Provided, that all Magistrates may draw up to ten dollars a month each for office rent when office is not provided in a county building.

Total	\$ 10,000.00
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F. County Attorney:

(1) Salary	\$ 600.00
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Provided, however, the County Attorney's salary shall be in lieu of all fees, except those approved by a majority of the Legislative Delegation.

Provided, further, the County Attorney shall be elected by a majority of the Legislative Delegation for a period of one year.

Total	\$ 600.00
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G. Office of Coroner:

(1) Salary	\$ 1,320.00
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(2) Inquest stenographer, if so much be needed ...	100.00
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Provided, the stenographer shall be paid at the rate of \$5.00 per inquest.

Total	\$ 1,420.00
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Total, Item 2	\$ 56,320.00
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Item 3. Law Enforcement:

A. Sheriff's Office:

(1) Salary of Sheriff	\$ 6,300.00
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(2) Salary of Chief Deputy Sheriff	4,320.00
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(3) Clothing allowance for Deputy Sheriff	175.00
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Total	\$ 10,795.00
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B. Sheriff's Deputies:

(1) Salaries, Seven Deputy Sheriffs	\$ 25,200.00
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(2) Uniforms, Deputy Sheriffs	700.00
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- | | |
|---|-----------|
| (3) Ammunition and Supplies | 100.00 |
| (4) Deputy Sheriff's automotive expense, including
maintenance, upkeep and purchase of new ve-
hicles | 12,000.00 |
| (5) Salaries to Radio Dispatchers | 7,200.00 |

Total	\$ 45,200.00
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C. Jail Expense:

- | | |
|---|-------------|
| (1) Operation of Jail, if so much be needed | \$ 3,000.00 |
| (2) Jailer | 1,920.00 |

Total	\$ 4,920.00
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Total, Item 3	\$ 60,915.00
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Provided, that all expenditures authorized herein shall be subject to the approval of the County Board of Directors and shall be in accordance with such accounting systems, procedures, rules and regulations, as they may specify.

Item 4. Public Works:

A. Board of Directors:

- | | |
|--|-------------|
| (1) Salary, Clerk to Board of Directors and Ad-
ministrator | \$ 6,300.00 |
| (2) Assistant to Clerk | 3,600.00 |

Total	\$ 9,900.00
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B. Janitors:

- | | |
|---|-------------|
| (1) Salary of Janitors at Courthouse and Agricul-
tural Building | \$ 3,240.00 |
|---|-------------|

Total	\$ 3,240.00
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C. Miscellaneous:

- | | |
|---|-----------|
| (1) Telephone (all offices) | 3,000.00 |
| (2) Printing, postage, stationery and supplies, if so
much be needed | 7,500.00 |
| (3) Public Building Maintenance, lights and water | 10,000.00 |
| (4) Equipment Account | 2,500.00 |

Total	\$ 23,000.00
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D. Insurance:

(1) On prisoners	\$ 500.00
(2) Bond premiums	1,000.00
(3) Premiums on Workmen's Compensation	2,000.00
(4) Insurance, County Motor Vehicles	1,300.00

Provided, that the above monies shall be spent only on approval of the County Board of Directors.

(5) Retirement and Social Security Payments for County employees	15,000.00
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Total	\$ 19,800.00
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Total, Item 4	\$ 55,940.00
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Item 5. Health Department:

A. Salaries:

(1) Three nurses at \$3,318.00 each	\$ 9,954.00
(2) Clerk	1,774.00

Total	\$ 11,728.00
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B. Travel:

(1) Health Officer	\$ 840.00
(2) Two Sanitarians at \$840.00 each	1,680.00
(3) Four nurses at \$840.00 each	3,360.00

Total	\$ 5,880.00
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C. Veterinarian:

(1) Salary (part time)	\$ 780.00
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Total	\$ 780.00
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D. Expenses and Supplies:

(1) To be spent if needed on approval of Kershaw County Board of Health	\$ 600.00
(2) For supplies and maintenance of Kershaw Health Center, if so much be needed, to be spent on approval of the Kershaw County Board of Health	300.00

Total	\$ 900.00
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E. Miscellaneous Health Appropriations:

(1) Vital Statistics	\$ 340.00
(2) Post Mortems and Lunacy	350.00

Provided, that the above payments shall be made only on approval of the Board of Health of Kershaw County.

Total	\$ 690.00
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Total, Item 5	\$ 19,978.00
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Item 6. Military:

A. Service Officer (Salary)	\$ 4,750.00
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(1) Office Rent	420.00
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(2) Office Expense, Telephone and out of town travel	960.00
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Total	\$ 6,130.00
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B. Kershaw Guards:

Combat Support Co. 3d Battle Group, 118th Inf. S.C.A.N.G.	\$ 500.00
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Provided, that the above sum shall be expended for upkeep, maintenance and repair on the Kershaw County Armory; and *provided*, further, that the Armory shall be made available to the Camden Hospital Auxiliary and Junior Welfare League for functions at a rental not to exceed \$25.00 per night.

Total	\$ 500.00
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Total, Item 6	\$ 6,630.00
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Item 7. Farm Aid:

A. Salary Subsistence:

(1) Farm Agent	\$ 720.00
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(2) Assistant Agent	520.00
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(3) Home Agent	720.00
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(4) Assistant Home Agent	520.00
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(5) Clerk	720.00
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Total	\$ 3,200.00
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B. Assistance for Colored Farmers:	
(1) Farm Agent (Salary)	\$ 720.00
(2) Home Agent (Salary)	1,170.00
(3) Clerk	1,380.00
(4) Home Agent (Travel)	600.00
(5) Farm Agent (Rent)	240.00
Total	<hr/> \$ 4,110.00
C. Miscellaneous Farm Aid:	
(1) 4-H Club Work (White)	\$ 100.00
(2) 4-H Club Work (Colored)	100.00
(3) Kershaw County Chapter of Future Homemakers of America	100.00
(4) Council of Farm Women	250.00
(5) Demonstration Material for Home Agent (white)	50.00
Total	<hr/> \$ 600.00
D. Cotton Rent Platform	\$ 675.00
Total	<hr/> \$ 675.00
E. Supplement to salary of four County Fire Wardens	
	2,400.00
Total	<hr/> \$ 2,400.00
Total Item 7	<hr/> \$ 10,985.00
Item 8. Welfare:	
A. County Welfare Board, to be kept at the rate of ten dollars per meeting attended	
Travel for worker	\$ 360.00
	350.00
Total	<hr/> \$ 710.00
B. Camden and Kershaw County Children's Home. \$ 3,000.00	
<i>Provided</i> , above shall be spent at a rate of \$1.50 per day for child care of indigent children of Kershaw County, and the above sums shall be paid semi-annually upon certification by the president and secretary of the Margaret C. Mayfield Home that care and maintenance were ac-	

tually rendered for the number of days for which claim is made.

Total	\$ 3,000.00
C. County Poor	\$ 4,000.00
<i>Provided</i> , that this amount shall be spent by the Welfare Department subject to the advice of the County Board of Directors.	

Total	\$ 4,000.00
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Total Item 8	\$ 7,710.00
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Item 9. Libraries:

A. County Library:

(1) Acting Head Librarian, Salary	\$ 2,600.00
(2) Assistant Librarian, Salary	2,210.00
(3) Clerical Assistant, Salary	2,000.00
(4) Operation of Bookmobile, gas, oil, tires and repairs	400.00
(5) Books and Binding and Mending	3,200.00
(6) Office Supplies	250.00
(7) Equipment	50.00
(8) Miscellaneous Fund	100.00
(9) Insurance	195.00
(10) Travel	135.00

Total	\$ 11,140.00
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B. DeKalb Negro Branch:

(1) Salary for Librarian	\$ 2,040.00
(2) Books and Supplies	1,500.00

Total	\$ 3,540.00
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C. Bethune Library	\$ 600.00
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D. Kershaw Memorial Library	300.00
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Total	\$ 900.00
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Provided, that the County Library Board be allowed to sell or trade the present bookmobile upon the approval of the Kershaw County Delegation.

Total Item 9	\$ 15,580.00
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Item 10. Miscellaneous:

- A. Contingent Fund\$ 5,000.00
To be spent only if approved by a majority of
the County Legislative Delegation.

Total\$ 5,000.00

- B. For merit raises to county clerical employees as
provided in Section 7, if so much be needed ...\$ 14,880.00

Total\$ 14,880.00

- C. Audit\$ 1,500.00

Total\$ 1,500.00

- D. Secretary to Delegation\$ 600.00

Total\$ 600.00

- E. Chamber of Commerce\$ 2,000.00

Total\$ 2,000.00

- F. County Rescue Squad\$ 500.00

Bethune Rescue Squad 500.00

Total\$ 1,000.00

- G. Camden Civil Air Patrol\$ 750.00

Total\$ 750.00

- H. Recreation Commission, City of Camden\$ 1,000.00

Total\$ 1,000.00

- I. Timrod Community Center\$ 250.00

Total\$ 250.00

Total, Item 10\$ 26,980.00

Item 11. Park and Recreation Commission:

- A. Kershaw County Park (White):

(1) Salary, Superintendent\$ 4,020.00

(2) Salaries, Life Guards 1,440.00

(3) Labor, Grounds, etc. 1,000.00

(4) Gas and Oil 400.00

(5) Lights	180.00
(6) Telephone	230.00
(7) Incidentals (Insurance, etc.)	350.00

Total \$ 7,620.00

B. Pickett-Thomas Memorial Park (Colored):

(1) Salaries	\$ 3,300.00
(2) Utilities	393.00

Provided, that the appropriate Governing groups of each park are authorized in their discretion to make a reasonable charge for the use of their facilities, said charge to be approved by the County Board of Directors, and the proceeds therefor be utilized for park purposes as approved by the respective boards and County Board of Directors.

Total \$ 3,693.00

Total Item 11 \$ 11,313.00

GRAND TOTAL \$292,290.96

Estimated Revenues and Available Credits:

Magistrates' Fines	\$ 62,000.00
County Officers' Fees	21,000.00
Beer and Wine Tax	7,000.00
Liquor Tax	32,000.00
Insurance Fees	18,000.00
Tax Collector	7,000.00
Bank Tax	4,000.00
Income Tax	40,000.00
County Service Officer	4,750.00

Total Estimated Revenues and Available Credits \$195,750.00

Total Amount to be raised by taxation \$ 96,540.96

SECTION 4. The sheriff and any other police officer shall receive in addition to their regular salaries, actual expenses excluding mileage, when called beyond the limits of the county on official business

such as searching for fugitives, conveying prisoners to the State Reformatory, to the State Penitentiary, etc. The sheriff shall also receive fifty cents per meal for dieting each prisoner for each meal consumed while the prisoner is detained in the county jail or otherwise in his custody. *Provided*, however, that the above expenses shall be paid only when a notarized statement is filed with and approved by the County Board of Directors.

SECTION 5. The Magistrates of Kershaw County are hereby required to enter all cases brought before them on their docket and to show on such dockets what disposition is made of each case, and shall enter on such dockets all costs which may be assessed against the parties of such case, and shall collect the same and shall pay over to the county treasurer monthly all fines and costs in criminal cases which may have been collected by them and shall submit their dockets to the board of county directors monthly for audit. *Provided*, however, that no magistrate in Kershaw County shall be paid his monthly salary until the above section has been complied with on or before the tenth day of each month.

SECTION 6. The appropriations herein made for salaries of the various county officers and other county employees shall be paid to such officers and employees in semimonthly installments upon individual claims to be submitted to the county board of directors. The clerk of such board is hereby authorized to issue checks in payment of all claims for which a specific appropriation is made. *Provided*, however, that all salaries appropriated are in lieu of all fees.

SECTION 7. Clerical employees, other than elected officials who have had at least ten years of satisfactory service in the employ of the county, shall receive a supplement to their salary in the sum of forty dollars per month. *Provided*, that any such employees with more than five years of satisfactory service shall receive a supplement of thirty dollars per month. *Provided*, further, that any such employees with more than one year of satisfactory service shall receive a supplement of twenty dollars per month. *Provided*, further, that the director, an employee of the Kershaw County Welfare Department, and Sheriff's Deputies and Radio Dispatchers, and Farm and Home Agents and their employees shall be included in this section.

SECTION 8. The County Board of Directors are authorized in their discretion to enter into a contract to provide group life and

group medical care insurance for county employees, and their dependents, with any reputable insurance company authorized to do business in South Carolina.

SECTION 9. It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other property belonging to the county, except for county purposes. The county board of education is hereby authorized and directed to furnish school bus transportation for all activities of the 4-H Boys and Girls, Vocational and Agricultural Boys, Home Economic Girls and Junior Homemakers of America in attending inter and intra county meetings pertaining to their respective endeavors.

SECTION 10. If circumstances arise, which, in the judgment of a majority of the Kershaw County Legislative Delegation, require the expenditure of a greater amount than herein provided for any purposes, or should, in the judgment of a majority of the delegation, the affairs of Kershaw County increase the expenditure of funds for purposes not mentioned in this act and above enumerated, the delegation or a majority thereof shall have and are hereby given the right, by resolution, to increase the amount appropriated in any item and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution or resolutions shall be filed with the Clerk of the County Board of Directors for expending the funds thus appropriated; and the county board of directors may borrow, if necessary, such amounts as may be required to make such increase or additional appropriations and may pledge the full faith and credit of Kershaw County for the payment of the amount so borrowed.

SECTION 11. The general supervision and control of the business and financial affairs of the county shall be vested in a County Board of Directors, consisting of four members, one from each Township, the present elected member from each Township to constitute the said Board. The Board shall have all of the functions and shall exercise all of the powers and duties heretofore performed by the County Governing Board and the County Administrator. Effective July 1, 1962, the office of County Administrator is abolished and all parts of Act No. 364 of the 1953 General Assembly inconsistent herewith are hereby repealed. This section shall be a permanent provision of the statute law of this state.

SECTION 12. All purchases of all county departments shall be made by the County Board of Directors and all expenditures are to

be approved by said Board. The said Board may require such systems of vouchers and accounting as they may see fit.

SECTION 13. The Kershaw County Board of Education is authorized and directed to prepare a budget for the operation of the Kershaw County schools for the fiscal year beginning July 1, 1962, and ending June 30, 1963, which budget shall be effective when approved by a majority of the Kershaw County Delegation. The budget may include a supplement to the salary of the superintendent of education provided that his total salary shall not exceed the sum of six thousand three hundred dollars; *provided*, that the budget shall include an incentive pay schedule as recommended by the Kershaw County Education Association and approved by the county board of education and the legislative delegation; and *provided*, further, that the budget shall include a sum to pay expenses and per diem of the Kershaw County Board of Education and a sum to supplement the administrative personnel of the superintendent of education's office, including the attendance teacher and the school lunchroom supervisor. *Provided*, further, that the children who reside in the attendance area of the Pine Grove School who are presently enrolled in the Camden City Schools shall be authorized to continue to attend the said schools during the period covered by this act.

SECTION 14. All materials, supplies or equipment shall be purchased for all departments of the county by the county Board of Directors after having advertised for and received bids for the same. Such materials, supplies and equipment shall be requisitioned by each department in writing at least thirty days in advance of their requirements. No voucher for the payment of any purchase in excess of five hundred dollars shall be honored by the county treasurer unless the county Board of Directors and clerk of the Board of Directors shall certify in writing that the purchase was made after having received public bids for such commodity unless the transaction is approved by the unanimous vote of the Kershaw County Board of Directors.

SECTION 15. All monies received by Kershaw County from the one cent gasoline tax shall be expended by the county governing board in payment of all necessary expenses for the building, maintenance and upkeep of county roads and buildings and all administrative expenses in connection therewith, including salaries and expenses for the elected members of the county governing board.

SECTION 16. Members of all boards and commissions of Kershaw County shall receive seven cents per mile for travel in attendance of all meetings.

SECTION 17. All prior actions or disbursements taken or made, as a result of any resolution or action by the Legislative Delegation from Kershaw County, are hereby validated, ratified, confirmed and declared to be legal and binding.

SECTION 18. All acts or parts of acts inconsistent herewith are repealed.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R770, H2191)

No. 1136

An Act Extending The Quail Hunting Season In Lancaster County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Quail season in Lancaster County.—The quail hunting season in Lancaster County is extended from February 15, 1962 to March 1, 1962.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R877, S583)

No. 1137

An Act To Create The Lancaster Watershed Conservation District In Lancaster County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; And To Provide For The Administration Of The District, The Construction, Operation, Financing And Maintenance Of Works Of Improve-

ment Within The District, And The Exercise Of The Power Of Eminent Domain.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context :

(1) "District" means Watershed Conservation District created by this act.

(2) "Commission" means the group of members of the governing body of the district.

(3) "Supervisors" means the members of the governing body of the Lancaster Soil Conservation District, in which the Watershed Conservation District created hereby is situated.

(4) "County" means Lancaster County of South Carolina.

SECTION 2. Watershed Conservation District created in Lancaster County—purposes.—There is hereby created and established the Lancaster Watershed Conservation District, which shall be a public body corporate and politic of perpetual succession and a governmental subdivision of the State, having the functions and powers prescribed by this act, and having as its purpose the development and execution of plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 3. Area.—The area embraced in the District shall be co-extensive with the limits of the whole of Lancaster County, excluding therefrom any lands now or hereafter located within the boundary of any incorporated city or town. In the discretion of the commission, it may define and establish subdistricts within the District, and may exercise in reference to such subdistrict, independently of any other subdistrict, any and all powers exercisable in reference to the District as a whole under the provisions hereof.

SECTION 4. Board of commissioners to govern district—appointment—terms—bond of treasurer.—The governing body of the District shall be the Lancaster Watershed Conservation District Commission. The commission shall consist of not less than ten and not more than fifteen resident landowners of the District, who shall be appointed by the Governor upon the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator. The original appointments shall be for two, four, or six years, as speci-

fied in the recommendation for appointment, and in all cases those persons holding office shall continue to hold office until their successors shall have been appointed and have qualified. The initial terms of office shall begin as of the effective date of this act, notwithstanding that this may effect a lessening of the duration of the terms of office of the initial members of the commission. Upon the termination of office of any commissioner, a successor shall be appointed by the Governor upon the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator, for a term of six years. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment made in like manner as in case of a full term. The commission shall annually designate from among its number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the commission. The bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the commission. The premium on each bond shall be paid by the District.

SECTION 5. Powers and duties.—The District, subject to the approval of the supervisors, shall have the following powers, in addition to others granted by this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1952, such lands, easements, or rights of way as are needed to carry out any authorized purposes of the District; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, operate, and maintain such works of improvement as may be necessary to perform its duties.

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the District or for carrying out any authorized purpose of the District, and if promissory notes are issued, to execute such mortgages on any property owned by the District, or assign or pledge such revenues of the District as may be required by the lender as security for the repayment of the loan. *Provided*, that the power of eminent domain conferred by this act shall not extend to such property of any public utility as such utility could have acquired under its power of eminent domain.

SECTION 6. Compensation of board of commissioners.—The commissioners of the District shall receive no compensation for their services.

SECTION 7. Expenditures.—All funds collected or received by or on behalf of the District, for any purpose or from any source, shall be transferred to and held by the treasurer of the District for the specific purpose for which the funds were received. All expenditures of the funds shall be made by authority of the commissioners of the District, with the approval of the supervisors.

SECTION 8. Credit of state, county, district not to be pledged on any obligation.—Neither the faith and credit of the State of South Carolina, nor of Lancaster County, nor of the District shall be pledged for the payment of the principal of or interest on any contract or obligation of the District; *provided*, however, that this limitation in power shall not affect the right of the District to incur and pay obligations out of any funds or revenues obtainable by or available to the District.

SECTION 9. Supervision after discontinuance.—If the Lancaster Soil Conservation District is discontinued, all supervisory authority over the affairs of the Watershed Conservation District, which was previously exercised by the supervisors, shall thereafter be exercised by a majority of the County Legislative Delegation, including the Senator.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R1165, H2646)

No. 1138

An Act To Amend Act No. 455 Of The Acts And Joint Resolutions Of The General Assembly, 1959, Which Created The Lancaster County Water And Sewer District, So As To Provide That Certain Contracts For Construction, Engineering And Other Services Shall Be Awarded To The Lowest Responsible Bidder.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection 18, Section 3 of Act 455 of 1959 amended—powers of commission.—Act No. 455 of 1959 is amended

by striking out the words "with or without competitive bidding" on line 2 of subsection 18 of Section 3 and by adding to the subsection the following: "*Provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder." When so amended subsection 18 shall read as follows:

"18. Make contracts for construction, engineering and other services, including particularly the right to contract with the City of Lancaster or any other appropriate person or agency, for operation, and maintenance of the system or systems established and controlled by the commission, for any fixed period of time and upon such terms and conditions as the commission may deem proper. *Provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1240, H2635)

No. 1139

An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For The Fiscal Year July 1, 1962, To July 1, 1963, And To Provide For The Expenditure Thereof In The County Of Lancaster; And To Provide Further For The Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A sufficient tax, not to exceed seventy mills, less the estimated revenue to be received by Lancaster County, in 1962, to pay the appropriations hereafter made, the amount of such millage to be determined by the county auditor, after consulting with the members of the Lancaster County Legislative Delegation, is hereby levied upon all the taxable property of Lancaster County for county purposes for the fiscal year beginning July 1, 1962, and ending June 30, 1963, for the amounts and purposes hereinafter stated, as follows: to wit:

SECTION 2. The fee for witnesses in the Court of General Sessions shall be three dollars per day and mileage, as now provided by law.

SECTION 3. The fee for bailiffs, grand and petit jurors and court criers in the Court of General Sessions and Court of Common Pleas shall be eight dollars per day and mileage, as now provided by law.

SECTION 4. The board of directors is authorized to loan the Lancaster County Water and Sewer Commission an amount not to exceed ten thousand dollars.

Public works\$125,000.00

Total\$125,000.00

The above appropriation shall be expended for the maintenance of county chain gang, road construction, road maintenance, road equipment, repairs to equipment, materials and supplies for road construction and maintenance, chain gang supplies, and salaries of all personnel employed by the Board of Directors or the Road Supervisor, including the salary of the Road Supervisor. The board shall also employ a janitor for the county courthouse and office building at such salary as the board may direct, same to be paid from the general county fund. The board shall furnish all necessary supplies needed for janitorial service. The appropriation in this section shall be expended upon warrants approved by the county board of directors. All personnel employed for road construction, road maintenance and chain gang employees shall be employed by the County Road Supervisor and shall receive such salaries as the board of directors shall provide. The above sum in Section 4 of this act for salaries and road maintenance includes the amount to be received from the one cent gasoline tax. The County Board of Directors of Lancaster County is not forbidden to expend in any one quarter of the year for road and bridge purposes a sum in excess of one-fourth of the total amount appropriated in this appropriations act, as prohibited in Section 33-1761, Code of Laws of South Carolina, 1952. The county board of directors is hereby authorized and directed to use whatever money it may receive by reason of the rental or sale of any equipment or commodities produced by it for county or ordinary purposes, as now provided by law; *provided*, however, that such sum shall not be deducted from the appropriations made in this appropriations act. In addition to the appropriation provided in this section, any and all monies received by the county board of directors from the South Carolina State Highway Department by reason of construction contracts entered into between Lancaster

County and the State Highway Department shall be expended by the board of directors for any of the purposes set out above.

Law Enforcement

Salaries:

Sheriff	\$ 4,800.00
Expenses of Sheriff	1,800.00
4 Deputy Sheriffs @ \$275.00 per month	13,200.00
Expenses, 4 Deputy Sheriffs, \$900.00 each	3,600.00
2 Lieutenants @ \$300.00 per month to cover telephone, meals out of town, laundry, etc. in performance of duties	7,200.00
2 Investigators @ \$300.00 per month to cover telephone, meals out of town, laundry, etc. in performance of duties	7,200.00
Expenses, 2 Lieutenants and 2 Investigators, \$900.00 each	3,600.00
Radio Operator and part time Deputy	2,700.00
Expenses, Radio Operator and part time Deputy	900.00
The Sheriff shall have the power to fix the compensation of his deputy sheriffs; <i>provided</i> , however, that no deputy shall receive more than \$300.00 per month nor less than \$275.00.	
Clerk (1), to be paid directly to the clerk employed	3,300.00
Jailor	1,200.00
Total	\$ 49,500.00

Expenses:

Operating jail, including per diem for feeding and maintenance, or so much as may be necessary	\$ 7,500.00
Maintenance Sheriff's automobiles and radios, or so much as may be necessary	10,000.00
Record books, forms, and postage, or so much as may be necessary	300.00
Uniforms for Sheriff's Officers, if so much be necessary	1,900.00
Refund for monies lost	485.00
Total	\$ 20,185.00

Magistrates:

Gills Creek Township	\$ 2,200.00
Hire of Clerk	600.00
Constable, Gills Creek Township	2,100.00
Kershaw	780.00
Constable, Kershaw	600.00
Buford Township	480.00
Constable, Buford Township	440.00
Cedar Creek Township	480.00
Constable, Cedar Creek Township	440.00
Cane Creek Township	1,000.00
Constable, Cane Creek Township	700.00
Indianland Township	460.00
Constable, Indianland Township	440.00
Pleasant Hill Township	460.00
Constable, Pleasant Hill Township	440.00
Flat Creek Township	460.00
Constable, Flat Creek Township	440.00
Waxhaw Township	460.00
Constable, Waxhaw Township	440.00
Total	<hr/> \$ 13,420.00

County Director's Office

Salaries:

Chairman of Board	\$ 1,020.00
Directors (6) @ \$900.00 each	5,400.00
County Board Bookkeeper and Secretary	4,000.00
Secretary	3,000.00
Travel expense for 7 directors of the board to be paid to each at the rate of \$150.00 per year ..	1,050.00
Travel expenses for the chairman of the board for a year	600.00
Clerk to Board, to be paid directly to clerk employed	960.00
Total	<hr/> \$ 16,030.00

Auditor's Office

Salary in addition to the portion paid by the State under the General Appropriation Act and Expenses for County Auditor	\$ 2,300.00
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Travel and Expenses for Auditor	1,800.00
Clerk to County Auditor, to be paid directly to the Clerk employed	3,000.00
Equalization Board	1,300.00
Total	\$ 8,400.00
County Treasurer's Office	
Salary in addition to the amount to be paid by the State under the General Appropriation Act and expenses for County Treasurer	\$ 2,000.00
Clerk to Treasurer, to be paid directly to clerk employed	3,000.00
To compensate for extra work and mailing out tax notices	1,200.00
Total	\$ 6,200.00
Clerk of Court's Office	
Salary	\$ 600.00
Salary to secretary for Clerk of Court	3,000.00
Postage, record books, office supplies and print- ing, or so much as may be necessary	1,800.00
Total	\$ 5,400.00
Probate Judge	
Clerk to Probate Judge, to be paid directly to clerk employed	\$ 3,000.00
Postage, record books, printing and office sup- plies, or so much as may be necessary	750.00
For Lunacy Proceedings, if so much be necessary	500.00
Total	\$ 4,250.00
County Attorney	
Salary	\$ 1,320.00
Total	\$ 1,320.00
County Coroner	
Salary—Coroner	\$ 1,300.00
Stenographer, when necessary, not to exceed \$10.00 per inquest	100.00

Printing and Official Blanks	25.00
Travel Expense for coroner, not to exceed \$400.00	400.00

Total\$ 1,825.00

Farm and County Agent's Departments

County Agent	\$ 1,090.00
Assistant County Agent	752.00
Home Demonstration Agent	595.00
Negro Agriculture Agent	476.00
Stenographer, Home Demonstration Agent	1,080.00
Home Demonstration Supplies	50.00
Demonstration Supplies, County Agent	50.00
Stamps and Incidentals, County Agent	50.00
Stenographer, County Agent	180.00
Boys' and Girls' Club Work	100.00
Colored Home Demonstration Agent, Supplies.	50.00
Colored Agriculture Agent, Demonstration Supplies	50.00
Salary, Colored Home Demonstration Agent ..	797.00
Clerical Help, Negro Home and Agriculture Agents	1,300.00
Colored 4-H Club Work, Boys and Girls	100.00
Office Rent	240.00

Total\$ 6,960.00

County Game Wardens

Travel and Expense	\$ 660.00
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Total\$ 660.00

Forestry Rangers

Expenses and supplemental salaries	\$ 1,980.00
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Total\$ 1,980.00

County Nursing Home—support of inmates and medical

supplies, hospitalization and miscellaneous expenses (if so much be necessary)	\$ 12,000.00
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Total\$ 12,000.00

Health Centers

Part salary for one P. H. Nurse I	\$ 2,845.00
Travel for Sanitarian I @ \$90.00 per month ...	1,080.00
Travel for four P. H. Nurses I @ \$90.00 per month	4,320.00
Travel for County Health Officer II	820.00
Janitor Service	960.00
Drugs and supplies (Lancaster)	795.00
Drugs and supplies (Kershaw)	180.00
Lights, fuel, water, repairs	1,500.00
To Balance Salaries	300.00

Total \$ 12,800.00

Vital Statistics and Post Mortems \$ 500.00

Total \$ 500.00

Court Expenses

Jurors, Witnesses, Bailiff	\$ 4,000.00
Stenographer, Parole Office	200.00

Total \$ 4,200.00

Service Officer

Salary and expenses of Service Officer	\$ 3,816.00
Travel, Service Officer	1,200.00
Salary, Clerk to Service Officer	3,000.00

Total \$ 8,016.00

Miscellaneous

Lancaster County Rescue Squad	\$ 500.00
11 Rural Fire Fighting Units	11,000.00
Liability Insurance—Sheriff's Cars	900.00
Insurance on Public Buildings	1,500.00
Workmen's Compensation Insurance	1,750.00
Premium on Blanket Employees' Bond and Bonds of County Officials	1,200.00
Liability Insurance—County Trucks and Cars and Boiler Insurance Premiums	600.00
Telephone and Service Tolls for County Offices	3,000.00
Printing, Postage, Stationery, Office Supplies and Stamps (Treasurer)	2,000.00

Lights, water, Fuel and Maintenance of County Office Building and Courthouse	5,000.00
Water Service, Marion Sims Hospital	1,500.00
Salary, County Minister	1,200.00
Salary, County Physician	1,200.00
County's Contributions—Retirement System ..	6,000.00
Salary for Secretary, County Board of Registration	600.00
Lancaster County's portion for the institution and operation of a Mental Health Clinic to serve the Counties of York, Chester and Lancaster ..	3,101.29
National Guard Unit at Lancaster	650.00
Tuberculosis for Film	600.00
Crippled Children Society	200.00
Mental Health	100.00
Kershaw Public Library	1,000.00
Rental—F. H. A.	180.00
Rental—A. S. C.	870.00
D. A. V. Publication	250.00
Juvenile-Domestic Relations Court	8,400.00
Tax Collector	3,600.00
Salary to be paid directly to clerk and Secretary, five months at \$175.00 per month	875.00
Civilian Defense Program	2,600.00
Salary for Clerk and Bookkeeper at Chain Gang	2,400.00
Expenses	1,200.00
Lights for Community Ball Park	2,000.00
<i>Provided, that the remaining \$5,000.00 will be raised by contribution.</i>	
Clerk for Tax Collector	1,250.00
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Total	\$ 67,226.29

GRAND TOTAL\$365,872.29

Less Estimated Revenue Other Than Taxes:

Gasoline Tax	\$140,000.00
Insurance Licenses Fees	18,000.00
County Service Officer	4,500.00
Alcoholic Liquors, Beer and Wine Tax and Income Tax	90,000.00

State Bank Tax	18,000.00
Library Fund	1,500.00
Fines and Forfeitures	65,000.00
Miscellaneous	1,000.00

Total	\$338,000.00
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Amount to be raised by Taxation \$ 27,872.29

Any sums not expended from the appropriations herein set forth, together with any surplus remaining over and above the total appropriations, shall be placed in the General Fund of the county.

SECTION 5. The county board of directors is hereby authorized to set aside out of the road fund such sum of money as, in its judgment, may be required in the interim between the regular monthly meetings for use in meeting weekly payrolls for labor, and to pay for freight, express and repairs for machinery, and the county treasurer is hereby authorized to make disbursements out of such special fund only on itemized claims of the chairman of the county board, which claims shall be regularly filed by the county treasurer with the county board of directors for formal approval by a majority thereof; the approval or disapproval shall be recorded in the minutes of the board. The board is authorized and directed to pay the expenses of the audit authorized by the board for the past fiscal year. All claims must be made out and listed separately. All other claims against the county, including direct appropriation herein, shall be paid by the county treasurer only upon claims approved by the county board of directors.

SECTION 6. The sum of two thousand five hundred dollars, if so much be necessary, is hereby appropriated to be expended for needy and emergency cases of sickness; to be paid on recommendation of the County Minister or County Physician, with the approval of the County Board of Directors. *Provided*, that no person shall receive more than twenty-five dollars during the fiscal year.

SECTION 7. The jailor, under supervision of the sheriff, is hereby required to pay all operating expenses of the jail, except that per diem for dieting prisoners, hereinafter provided for, and except water, rents, fuel and electric lights. The sheriff shall receive, in addition to his salary, his necessary expenses in going to and returning when

called beyond the limits of the county on official business, and shall receive one dollar per day for dieting each prisoner.

The above salary of the sheriff shall be in full for all services rendered the county, including the summoning of juries for the Court of General Sessions and Common Pleas; jailor to receive, in addition to one hundred dollars per month, fifty cents for each commitment and fifty cents for each discharge.

SECTION 8. The county board of directors is hereby authorized to pay the salaries of the county officers, magistrates and constables monthly; *provided*, the county board of directors shall not in any event appropriate or expend in excess of the amounts herein appropriated; *provided*, further, that the salaries of the clerks employed by the superintendent of education in his office shall be paid out of the county board of education funds.

SECTION 9. It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other property belonging to the county, except for county purposes.

SECTION 10. The board of directors is hereby authorized and directed to maintain telephone service in the following offices: County Director's office, Sheriff's office, Treasurer's office, Auditor's office, Probate Judge's office, Clerk of Court's office, Department of Public Welfare, Magistrate at Gills Creek Township's office, County Health Department office, County Service Officer and the Armory. *Provided*, that no long distance telephone calls shall be made from any telephone furnished by the county except for official calls made in connection with the particular office. Telephone service for superintendent of education's office is to be paid from funds allotted to schools. Each county official in whose office a telephone is maintained shall certify monthly to the board of directors that all long distance calls made from his office were for official county business. The payment of all long distance calls shall be approved by the county board of directors.

SECTION 11. The county board of directors is hereby empowered and directed, upon the written authority of the Senator and at least one member of the House of Representatives from Lancaster County, to have an audit made of each county office from the time of the previous audit to July 1, 1962. An amount sufficient to defray the cost of such audit is hereby appropriated out of the general funds of Lancaster County. All such audits are to be made by a certified public

accountant. In addition to the audit above provided, any superintendent or principal or any other school employee of Lancaster County who handles any school funds shall maintain a complete record of all receipts and disbursements, and on or before August 1, 1962, and each year thereafter, their books shall be audited by an accountant and a certified copy of same shall be filed with the county board of directors. Any necessary expenses for school audit shall be paid from the funds of the county board of education.

SECTION 12. Each and every magistrate in Lancaster County is hereby required to file with the county board of directors each month a report showing the name of each party for whom a warrant was issued; the amount of fines collected; sentences given; the cases appealed to the Circuit Court and the cases sent up to the Circuit Court. It shall be unlawful for the county board of directors to issue pay warrants to any magistrate until such report is filed.

SECTION 13. In order to secure a more adequate law enforcement, the Sheriff of Lancaster County is hereby empowered to employ an additional deputy or deputies, if such be necessary. This shall be done only on the written direction of the Senator and at least one member of the House of Representatives from Lancaster County. The compensation of such deputy or deputies shall be fixed by the Senator and at least one member of the House of Representatives from Lancaster County. Such amount as may be fixed by them is hereby appropriated out of the general funds of Lancaster County.

SECTION 14. The County Board of Directors of Lancaster County is hereby authorized, empowered and directed, with the approval of the Senator and at least one member of the House of Representatives from Lancaster County, to borrow money for such public purposes as may be necessary, and to irrevocably pledge the levies and the faith, credit and taxing power of Lancaster County for the payment of all monies which may be borrowed hereunder.

SECTION 15. Any appropriation, expenditure or money borrowed or other acts made by the county board of directors under the authority of the Lancaster County Appropriations Act authorized by written authority of the Senator and one member of the Lancaster County Legislative Delegation are hereby validated.

SECTION 16. There is hereby appropriated the sum of two hundred and fifty dollars for maintenance of historical sites, to be expend-

ed by the Lancaster County Chapter of the Daughters of the American Revolution, and seven hundred and fifty dollars for the Lancaster County Historical Society to be expended for necessary travel and all other expenses incident to the needs of the society.

SECTION 17. A tax of forty-four mills is hereby levied upon all taxable property in Lancaster County for school purposes. This money shall be used to pay salaries, heat, lights, water and all county-wide expenses. After estimated countywide expenses are budgeted, the balance of the estimated income from this tax and all other sources shall be distributed as follows: The following schools shall be allotted two thousand dollars each to be used for recreation or as the area superintendents and local boards see fit: Buford High School, Flat Creek High School, Indianland High School, Heath Springs High School, Hillside High School, Kershaw High School, Lancaster Junior High School, Barr Street High School and Lancaster Senior High School. The remainder of the estimated income shall be allocated to the various school areas on a per pupil basis. Each area shall prepare a breakdown of its budget and present it to the county board of education for approval. *Provided*, that a part of the kick-back that Lancaster County might receive under the 1962 State Appropriations Act be used to help liquidate the debt with the Budget and Control Board or any outstanding debt due.

SECTION 18. It shall be unlawful for the board of directors or supervisor of roads for Lancaster County to offer for sale or dispose of any property or equipment of any kind having a value of five hundred dollars, or more, without first obtaining the written approval of a majority of the legislative delegation, including the Senator. The supervisor of roads is hereby authorized to purchase any emergency repairs or equipment where the item so purchased does not cost in excess of five hundred dollars. All major items or heavy road-working equipment is to be purchased by majority approval of the board after obtaining written authorization from a majority of the legislative delegation, including the Senator.

SECTION 19. In order for the county to participate in federal funds or other sources of funds for the construction and equipping of a health center or centers, and the right to acquire land for the same, the county board of directors shall provide the necessary legal authority for the board, through its chairman, to apply through the State Board of Health for federal funds to assist in the construction

and equipping of such health center or centers, and for the purchase of necessary land or acquire the necessary land by gift, devise or otherwise.

The authority granted shall enable the proper person or persons to legally apply and enter into agreements or contracts for federal or other funds. It is further provided that if any funds are received, they shall be deposited in the county treasury and shall be paid out in accordance with the plans, agreements and contracts authorized to be entered into for such financial assistance as may be available.

All such acts herein authorized shall be in accordance with Public Law 725 of the 79th Congress of the United States entitled "Hospital Survey and Construction Act" and the "State Hospital and Licensing Act" and regulations issued under the authority of the same.

SECTION 20. The chairman of the county board of education shall receive an annual salary of six hundred dollars and each member of the board shall receive the sum of five hundred dollars per annum. The chairman and the members of the board shall also be entitled to mileage at the rate of seven cents per mile traveled in attendance upon the meetings of the board; *provided*, that such sum shall be paid from funds allocated to the county board of education.

SECTION 21. Any or all funds received by Lancaster County under the provisions of the General Appropriations Act for the State of South Carolina for the fiscal year 1962-1963 for school purposes shall be used to defray costs of the budget for the Lancaster County schools for the year 1962-1963. In preparing the school budget for the school year 1962-1963, the county board of education is hereby authorized and directed to pay to all school teachers in Lancaster County eight hundred twenty-five dollars or twenty per cent of State aid paid to Lancaster County teachers per year supplement for the school year 1962-1963; *provided*, that no school teacher shall receive less salary than he or she received during the school year 1961-1962.

SECTION 22. An amount of fifteen thousand dollars—Lancaster, ten thousand; Heath Springs, five hundred; and Kershaw, one thousand five hundred is hereby appropriated for parks and playgrounds; *provided*, that each town, by taxation, matches dollar for dollar the funds appropriated by the county; also any county community project approved by a majority of the delegation, including the Senator.

SECTION 23. For the fiscal year July 1, 1962, to July 1, 1963, any and all manufactories newly constructed, and any and all additions and enlargements to existing manufactories in Lancaster County, involving an expenditure and investment of not less than two hundred thousand dollars, shall be exempt from all county taxes for a period of five years from the time of completion of new construction, additions or enlargements.

SECTION 24. A sufficient amount of money is hereby appropriated for the Board of Directors of the Lancaster Watershed Area Protective Association of Lancaster County; *provided*, that the funds appropriated in this section shall be disbursed upon vouchers signed by the chairman and countersigned by the secretary of the Lancaster Watershed Area Protective Association of Lancaster County, and approved by the Lancaster County Board of Directors.

SECTION 25. Six hundred dollars is hereby appropriated for the Lancaster County Board of Health to be used for the purpose of operating a dog pound in the county.

SECTION 26. If circumstances arise, which, in the judgment of the Lancaster County Legislative Delegation or a majority thereof, including the Senator, require the expenditure of a greater amount than hereinabove provided for any purposes, or should in the judgment of the delegation, or a majority thereof, including the Senator, the interest of Lancaster County require the expenditure of funds for purposes not mentioned in this act and above enumerated, then the the right by resolution to increase the amount appropriated for any delegation, or a majority thereof, shall have, and is hereby given item, and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution, or resolutions, shall be filed with the Board of County Directors for Lancaster County as its authority for expending the funds thus appropriated, and the board of directors may borrow, if necessary, such amounts as may be required to meet such increases or additional appropriations, and may pledge the full faith and credit of Lancaster County for the payment of the amounts so borrowed.

SECTION 27. One mill of the board of education's tax levy shall be used for establishing and helping to finance the branch of the Extension Division of the University of South Carolina established in Lancaster County.

SECTION 28. The total amount of taxes levied for the fiscal year 1962-1963 shall not exceed seventy mills as follows: county bonds, four mills, county ordinary; school bonds, twelve mills, schools; note retirement, four mills, county ordinary; parks and playgrounds, one and one-half mills, county ordinary; school operation, forty-four mills, schools; higher education commission, one mill, schools; library, one and one-half mills, county ordinary; and county ordinary, two mills.

SECTION 29. The clerk and bookkeeper for chain gang and Lancaster County Road Department shall have the following duties: keep records of all vehicle expense, records of all material bought and received, issue materials and parts, keep records of all materials bought in the building and construction of roads and records of all labor used on contract roads. He shall make a monthly report to the county board of directors.

SECTION 30. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1241, H2641)

No. 1140

An Act To Provide For A Referendum In Lancaster County To Determine Whether The Qualified Electors Desire To Change The Method Of Selecting Members To The School Boards Of Trustees.

Whereas, there is divided opinion as to the method of selecting members to the boards of trustees for the school districts of Lancaster County; and

Whereas, their election presents a serious problem; and

Whereas, it is believed that the citizens of the county should voice their opinion concerning this matter. Now therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Referendum on changing method of selecting trustees of School District of Lancaster County—question.—There shall be presented to the qualified electors of Lancaster County at the general election of 1962 the following question:

“Do you favor changing the present method of selecting members to the boards of trustees for the school districts of Lancaster County, so as to provide for the direct election by the citizens of the several areas?

YES ☐
NO ☐

The commissioners of elections shall prepare ballots and furnish a sufficient number to each ballot box in the county in time for use on election day. These ballots shall be canvassed in the same manner as other ballots and the results announced in the same way. The results of the election shall be certified to the Lancaster County Legislative Delegation.

SECTION 2. Expenses of election.—The costs of this election shall be paid from the general fund of the county.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R766, H2180)

No. 1141

An Act To Validate A Certain Obligation Of Laurens County In The Amount Of Two Hundred Fifty Thousand Dollars And To Provide For The Payment Of Such Obligation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain obligation of Laurens County validated.—The General Assembly finds that prior to this enactment the Treasurer and governing body of Laurens County borrowed two hundred fifty thousand dollars from the Division of Sinking Funds and Property evidenced by a note dated October 14, 1961, payable in five, equal, successive, annual installments with interest thereon at the rate of four per cent per annum. The General Assembly ratifies, approves and confirms the above obligation incurred on behalf of Laurens County and declares the obligation to be legal, valid and binding upon Laurens County. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Laurens County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of Laurens County are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to such county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R816, S578)

No. 1142

An Act To Provide For A Referendum In School District No. 55 Of Laurens County To Determine Whether The Qualified Electors Of The District Are In Favor Of Raising The Tax Levy For School Purposes By Five Mills In Order To Increase The County Supplement For Teachers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Laurens County School District 55 to have referendum concerning increased taxes.—An election shall be held at the same time as the Democratic primary for the election of members of the House of Representatives in 1962 to determine whether or not the qualified electors of School District No. 55 of Laurens County wish to have the tax millage for school purposes increased by five mills so as to enable the increase of the county supplement for teachers.

SECTION 2. Ballots and results.—Ballots shall be provided at the various precincts within the district with the following written or printed thereon:

“Shall an additional five mills levy be placed on all taxable property in School District No. 55 of Laurens County and the proceeds of the levy used to increase the county supplement for teachers?

Yes ☐

No ☐

Those qualified electors voting in favor of the question shall deposit a ballot with a cross or check mark in the square opposite the word ‘Yes’ and those voting against the question shall deposit a ballot with a cross or check mark in the square opposite the word ‘No’.”

The results of the election shall be certified within ten days after the date of election to the Clerk of Court of Laurens County and to the Secretary of State.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1962.

(R817, S579)

No. 1143

An Act To Provide For A Referendum In School District No. 56 Of Laurens County To Determine Whether The Qualified Electors Of The District Are In Favor Of Raising The Tax Levy For School Purposes By Five Mills In Order To Increase The County Supplement For Teachers.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County School District No. 56 to have referendum concerning increased taxes.—An election shall be held at the same time as the Democratic primary for the election of members of the House of Representatives in 1962 to determine whether or not the qualified electors of School District No. 56 of Laurens County wish to have the tax millage for school purposes increased by five mills so as to enable the increase of the county supplement for teachers.

SECTION 2. Ballots and results.—Ballots shall be provided at the various precincts within the district with the following written or printed thereon :

“Shall an additional five mills levy be placed on all taxable property in School District No. 56 of Laurens County and the pro-

ceeds of the levy used to increase the county supplement for teachers?

Yes ☐

No ☐

Those qualified electors voting in favor of the question shall deposit a ballot with a cross or check mark in the square opposite the word 'Yes' and those voting against the question shall deposit a ballot with a cross or check mark in the square opposite the word 'No'."

The results of the election shall be certified within ten days after the date of election to the Clerk of Court of Laurens County and to the Secretary of State.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1962.

(R922, H2469)

No. 1144

An Act To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year 1962-1963; To Direct The Expenditure Thereof; To Provide For The Borrowing Of Money For Laurens County; To Provide Authority For Peace Officers; And To Further Regulate The Fiscal Affairs Of Laurens County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The County Auditor of Laurens County is hereby directed to levy a tax of fourteen mills on all taxable property of Laurens County for the year 1962 which, together with the estimated revenues for the fiscal year 1962-1963 from other sources applicable to county purposes, shall be sufficient to raise the sums of money hereinafter appropriated. The County Treasurer of Laurens County is hereby directed to collect the tax in the manner provided by law.

SECTION 2. Subject to the terms and conditions of this act, the sums of money set forth herein, if so much be necessary, be, and the same are hereby appropriated out of the general fund of Laurens County, to meet the ordinary operating expenses of Laurens County applicable to the fiscal year 1962-1963 and for such other purposes as may be hereinafter specifically designated.

SECTION 3. APPROPRIATIONS:**Item 1. Board of Commissioners:****A. Salaries:**

1. Supervisor	\$ 4,950.00
2. Commissioners (2 @ \$733.00 each)	1,466.00
3. Clerk	3,025.00
4. Assistant Clerk	1,375.00
5. Additional Help	200.00

11,016.00**B. Travel:**

1. Travel for Supervisor	1,800.00
2. Travel for 2 Commissioners @ \$350.00	700.00

2,500.00

C. Office Supplies	700.00
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700.00**D. Courthouse:**

1. Water, lights, fuel, telephone, janitor, supplies, cleaning grounds	9,500.00
2. Beautifying the lawn and building walks—to be done under the supervision of the Laurens County Garden Clubs	100.00
3. Ladies' Rest Room	900.00

10,500.00

E. Insurance—for Courthouse, Jail, County Home, Agriculture Building and Chain Gang Camp Buildings	1,500.00
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1,500.00**F. Supervisor:**

1. Salaries	54,208.00
2. Maintenance of roads and bridges and supplies	90,000.00
3. For equipment and supplies and for patching and otherwise improving black top roads	50,000.00

194,208.00

G. County Home:

1. Salaries:

a. Superintendent	2,129.60
b. Assistant Superintendent	423.50
c. Additional help to care for inmates	3,194.40
2. Food, clothing, fuel, lights, etc., for inmates, and for farming expenses	9,000.00

14,747.50

H. S. C. Retirement System for County Employees 7,800.00

H-1. County's part of Social Security

7,225.00

H-2. County's part of Travelers Insurance

350.00

15,375.00
I. S. C. Industrial Commission—premium for
Workmen's Compensation Insurance

2,385.02

2,385.02
J. County Attorney—the County Attorney shall be
elected annually by the Supervisor and County
Commissioners

500.00

500.00

TOTAL, ITEM 1\$253,431.52

Item 2. Clerk of Court:

A. Salaries:

1. Clerk of Court	\$ 4,950.00
2. Deputy Clerk	3,025.00
3. Clerical Assistant	2,750.00
4. Janitor for courthouse—to be named by Clerk of Court and perform such duties as the Clerk prescribes	2,420.00

13,145.00

B. Travel for Clerk of Court

300.00

300.00

C. Office Supplies

5,350.00

1. Photostat Machine

3,000.00

8,350.00

- D. Circuit Court and Civil and Domestic Relations
Court—expenses, including jurors, witnesses and
bailiffs 29,500.00

29,500.00

Provided, witnesses shall receive two dollars per day and all jurors, bailiffs and the court crier in attendance upon the court shall receive as compensation the sum of seven dollars and fifty cents per diem and mileage as now prescribed by law.

TOTAL, ITEM 2\$ 51,295.00

Item 3. Auditor:

A. Salaries:

1. Auditor\$ 1,820.50
2. First Assistant 3,025.00
3. Second Assistant 2,750.00
4. Additional help 2,000.00

9,595.50

- B. Office Supplies, includes \$250.00 IBM maintenance 1,500.00

1,500.00

- C. Board of Assessors and Equalization—each member shall be paid seven dollars and fifty cents per day for services actually rendered plus state mileage of seven cents per mile 2,250.00

2,250.00

- D. Travel for Auditor 600.00

600.00

TOTAL, ITEM 3\$ 13,945.50

Item 4. Treasurer:

A. Salaries:

1. Treasurer\$ 1,820.50
2. Assistant 2,750.00
3. Extra Help 200.00

4,770.50

B. Tax Collector:

1. Salaries:

a. Supervisor, Tax Collector's Office	660.00
b. Deputy Delinquent Tax Collector	3,960.00
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	4,620.00

Provided, that the Supervisor of the Tax Collector's Office shall designate the Deputy Tax Collector and field men; *provided*, further, that all fees and costs of execution shall be remitted to the general fund of the county; *provided*, however, that one dollar of the execution fee and mileage shall be paid to the field men as compensation for services, plus two per cent of the amount collected.

C. Office Supplies	2,600.00
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	2,600.00

TOTAL, ITEM 4	\$ 11,990.50
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Item 5. Superintendent of Education:

A. Salaries:

1. Superintendent of Education	\$ 798.60
2. Assistant	3,025.00
3. Attendance Teacher	363.00
4. Supervisor of School Lunch Program	363.00
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	4,549.60

B. Travel for Superintendent of Education	900.00
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	900.00

C. Office Supplies	350.00
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	350.00

D. Attendance Teacher—aid for needy children ...	200.00
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	200.00

TOTAL, ITEM 5	\$ 5,999.60
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Item 6. Sheriff:

A. Salaries:

1. Sheriff	\$ 4,950.00
2. Deputy Sheriffs—10 @ \$3,194.40	31,944.00
<i>Provided</i> , one of the above Deputy Sheriffs shall be assigned to the Wattsville area.	
3. Deputy for day work	3,194.40
4. Deputy for night work	3,194.40
5. Jailer	3,194.40
6. Deputy Sheriffs for mills—3 @ \$205.70	617.10

47,094.30

Provided, the Sheriff shall have the authority to name one Deputy as Chief Deputy, and such Deputy shall be placed under bond of \$2,500.00.

B. Travel:

1. Sheriff	2,400.00
2. Deputy Sheriffs—10 @ \$200.00 per month ..	24,000.00
3. Deputy Sheriffs—3 @ \$75.00 per month	2,700.00
4. Head Mill Deputy at Joanna, transporting prisoners and witnesses to jail and trial at Magistrates' Court—\$100.00 per month	1,200.00
5. Head Mill Deputy at Lydia Mill transporting prisoners and witnesses to jail and trial at Magistrates' Court—\$100.00 per month	1,200.00

31,500.00

C. Uniforms and overcoats—July 1, 1962 to June 30, 1963—13 @ \$150.00 per year

1,950.00

1,950.00

D. Office Supplies

800.00

800.00

E. Radio System:

1. Maintenance	800.00
2. Supplies	500.00
3. Payment on Sheriff's Radios	1,727.52

3,027.52

F. Jail:

Water, lights, fuel, disinfectants, plumbing, returning prisoners taken into custody outside of county and outside of State, and dieting prisoners at eighty-five cents per day	11,500.00
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	11,500.00

TOTAL, ITEM 6 \$ 95,871.82

Item 7. Judge of Probate:

A. Salaries:

1. Judge of Probate	\$ 4,950.00
2. Clerk	3,025.00
3. Assistant	2,750.00
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	\$ 10,725.00

Provided, that all fees collected in this office shall be turned over to the county treasurer. This does not include commissions received from the Tax Commission on inheritance taxes. Certified copies of marriage licenses shall be furnished free of charge on request, to persons in the Armed Services of the United States and to veterans of the Korean Conflict, but no more than one copy shall be furnished without charge.

B. Travel for Probate Judge 900.00

900.00

C. Office Supplies 1,500.00

1,500.00

TOTAL, ITEM 7 \$ 13,125.00

Item 8. Health Department:

County's part of salaries and travel allowance of county employees, office supplies and maintenance of building. It shall be the duty of the Health Department to handle the vital statistics of Laurens

County \$ 18,033.00

Polio vaccine	1,500.00
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Provided, that all unused funds in this item at the end of the fiscal year shall be retained for use during the following fiscal year.

TOTAL, ITEM 8, if so much be necessary	\$ 19,533.00
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Item 9. Magistrates:

A. Salaries:

1. Laurens	\$ 1,650.00
2. Clinton	1,331.00
3. Cross Hill	305.00
4. Waterloo	305.00
5. Gray Court	305.00
6. Youngs	305.00
7. Scuffletown	305.00
8. Sullivans	305.00
9. Jacks	305.00
10. Joanna	305.00
11. For stenographic help in holding inquests and preliminaries, to be expended upon the approval of the coroner and the sheriff, if so much be necessary	500.00

5,921.00

Provided, however, that in addition to the above compensation, each Magistrate shall be paid the sum of ten dollars for each jury trial in which he or she presides and for each inquest.

B. Office Rent—Clinton	144.00
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144.00

C. Office Supplies	600.00
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C-1. Stamps and stationery @ \$10.00 per magistrate	100.00
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700.00

D. For payment of jurors in criminal cases, and for miscellaneous expenses, including payments to magistrates for holding jury trials and inquests	2,300.00
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2,300.00

Provided, that hereafter all jurors actually serving in trial of criminal cases in Magistrates' Courts shall be paid two dollars for each case so tried. The presiding magistrate shall issue to each juror so serving a pay certificate showing the date of service which shall be paid upon presentation to the county treasurer.

TOTAL, ITEM 9	\$ 9,065.00
Item 10. Agriculture:	
A. County Supplement to State Income:	
1. County Agent	\$ 600.00
2. Secretary to County Agent	120.00
3. Stenographer for Home Demonstration Agent	360.00
4. Assistant County Agent	660.00
5. Second Assistant County Agent	600.00
6. Demonstration Materials—	
Home Demonstration Agent	120.00
	2,460.00
B. Agriculture Building—pay for janitor, janitor supplies, plumbing and other minor repairs, fuel, water, lights, telephone and postage	900.00
	900.00
C. Club Work:	
1. Boys' 4-H Club Work	100.00
2. Girls' 4-H Club Work	100.00
3. Negro 4-H Club Work	100.00
4. F. F. A.	175.00
5. Future Homemakers	175.00
	650.00
D. Rent, lights and fuel—Negro County Agent ...	350.00
	350.00
E. Stenographer for Negro Farm Agent	600.00
	600.00

F. Rent:	
1. AAA Office	600.00
2. FSA Office	270.00
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	870.00
G. Laurens Cooperative Breeding Association ...	400.00
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	400.00
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TOTAL, ITEM 10	\$ 6,230.00
Item 11. Department of Public Welfare:	
A. For maintenance, including office expense and mileage for Child Welfare Worker	
	4,575.00
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	4,575.00
<i>Provided</i> , that the board members shall receive \$25.00 per month from this fund.	
B. Emergency Assistance	2,400.00
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	2,400.00
C. Boarding Home Care	1,500.00
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	1,500.00
D. Aid for indigent aged	1,000.00
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	1,000.00
E. Travel for employees on a prorata basis	1,400.00
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	1,400.00
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TOTAL, ITEM 11	\$ 10,875.00
Item 12. County Service Officer	
	\$ 4,400.00
Secretary to County Service Officer	2,750.00
Office Supplies and travel	1,000.00
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TOTAL, ITEM 12	\$ 8,150.00
Item 13. Domestic Relations Court:	
A. Salaries:	
1. Judge	\$ 3,960.00

2. Stenographer	1,452.00
3. Office Supplies and Rent	600.00
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TOTAL, ITEM 13	\$ 6,012.00
Item 14. Laurens County Library	\$ 17,000.00
<i>Provided</i> , that the distribution and circulation of library books in rural schools shall not be cur- tailed.	
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TOTAL, ITEM 14	\$ 17,000.00
Item 15. Coroner:	
A. Salary:	
1. Coroner	\$ 2,400.00
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TOTAL, ITEM 15	\$ 2,400.00
Item 16. County Physician:	
A. Salaries:	
1. County Physician	\$ 1,250.00
B. Medical Supplies	300.00
<i>Provided</i> , no medical supplies shall be purchased except on written approval of the County Phy- sician and shall not exceed \$25.00 per month.	
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TOTAL, ITEM 16	\$ 1,550.00
Item 17. Forest Fire Control:	
A. Per diem and mileage for board members.....	\$ 200.00
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TOTAL, ITEM 17	\$ 200.00
Item 18. Miscellaneous:	
A. County Audit—not to exceed	\$ 3,000.00
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	3,000.00
B. Secretary of Delegation—	
Office expense and telephone	200.00
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	200.00
C. Lunacy Examinations	1,300.00
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	1,300.00
D. Contingent	10,000.00
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	10,000.00

E. Board of Registration (3 @ \$100.00 for meetings away from County Seat)	300.00
E-1. Travel—\$150.00 each	450.00
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	750.00
F. Premium on Bonds	825.00
	<hr/>
	825.00
G. Supplement for stenographer to Probation Officer	600.00
Supplement for stenographer to Solicitor	600.00
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<i>Provided</i> , these funds shall be withdrawn monthly at \$50.00	1,200.00
H. Civil Defense	4,000.00
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	4,000.00
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TOTAL, ITEM 18	\$ 21,275.00
Item 19. National Guard Units:	
A. Laurens	\$ 600.00
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	600.00
B. Clinton	600.00
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	600.00
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These funds are not available if any of the above guard units are called into Federal Service, or if called out to police any integrated school in this State.	
TOTAL, ITEM 19	\$ 1,200.00
Item 20. Contributions:	
A. Transportation and Medicine for cancer patients	\$ 1,800.00
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	1,800.00
B. Soil Conservation Office	500.00
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	500.00
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TOTAL, ITEM 20	\$ 2,300.00
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GRAND TOTAL	\$551,448.94

Estimated Revenues:

Fines	\$ 54,644.00
Gasoline Tax	147,957.00
Alcoholic Liquor Tax	37,680.13
Beer and Wine Tax	9,483.14
Bank Tax	4,745.00
Bond Premium and Interest	2,400.00
County's parts of Income Tax	58,661.00
Delinquent Taxes, Fees	8,500.00
Delinquent Taxes, Fees	4,000.00
Insurance License Fees	23,566.00
Treasurer's Fees (recordings, etc.)	18,000.00
National Forestry Funds	4,700.00
Miscellaneous	7,000.00
Service Officer	5,100.00
Income from fourteen mill property tax	175,000.00
NYA Building Rent	1,000.00

Total, Estimated Revenues\$562,436.27

SECTION 4. The county sheriff is hereby authorized and required to make a monthly report to the Laurens County Treasurer and at the same time turn over to the county treasurer all fines; fees and mileage, except all fees collected for the service of magistrates' papers. The report shall be made on or before the tenth day of each month.

SECTION 5. The county supervisor is hereby authorized and required to make a quarterly report to the Laurens County Delegation in the General Assembly, giving an itemized and verified statement of all expenditures pertaining to his office which have been paid by him and also an itemized statement of all debts and obligations incurred for which Laurens County is liable. The report shall be made on or before April fifteenth, July fifteenth, October fifteenth and January fifteenth of each year.

SECTION 6. The supervisor and county commissioners are hereby required to keep a separate account covering the various items of the supply act not to exceed in expenditure the amount herein provided for each item; and for any excess allowed or permitted, the officers shall be held liable on their official bond. It shall be unlawful for any county commissioner or commissioners or other officers of county government to purchase, bargain for, or contract for any materials

or services which would create a deficit in any item or provisions hereof within the time covered by this act, except upon written approval of a majority of the delegation.

SECTION 7. The county treasurer is authorized to pay claims for school teachers' salaries and for other school purposes from the general fund for the county, all such amounts to be refunded to the general fund when State aid and current school taxes are received in the treasurer's office.

SECTION 8. The official bond for the County Supervisor of Laurens County shall be ten thousand dollars and no claim against Laurens County shall be paid until it has had the approval in writing of the county supervisor and at least one of the two county commissioners. All expenditures in excess of the appropriations herein made, and not duly authorized by law, made by the county supervisor and board of county commissioners for Laurens County, shall not constitute a valid indebtedness against Laurens County and all such contracts shall be null and void unless same have previously been approved by a majority of the delegation. The official bond of the county supervisor and county commissioners shall be responsible for all unauthorized expenditures and contracts made by such officers on behalf of Laurens County. The supervisor is hereby required to notify the sheriff immediately upon the escape of any convict from the county chain gang, and the sheriff shall have his actual expenses for the capture of such escaped convict, when necessary to go out of the county. All claims must be signed by the supervisor and the two county commissioners.

SECTION 9. The board of county commissioners is hereby authorized and directed to divide the expenditures of such appropriations into monthly payments and monthly expenditures shall not exceed one-twelfth of the annual appropriation, unless otherwise stipulated.

SECTION 10. In the event of a vacancy or a new recommendation, there shall be appointed and commissioned by the Governor, upon the named, three special deputies to have the usual authority of peace officers, and who shall be assigned to duty as follows: two at Joanna Mill and one at Lydia Mill, as the sheriff may designate and shall be paid by the Treasurer of Laurens County the sum of two hundred five dollars and seventy cents each per year, and the

two mills may supplement the salaries if they do so desire, such appointments to be made for a period of two years; *provided*, however, that the terms of such appointments shall not extend beyond the term of the sheriff at any time. Such deputies must be sworn in office before the Clerk of Court of Laurens County, and shall have the usual bond in the sum of one thousand dollars, conditioned upon the faithful performance of duty. *Provided*, that all pay and allowances for mill deputies provided by this act shall be paid by the treasurer only when approved by the Sheriff of Laurens County.

SECTION 11. The Board of County Commissioners of Laurens County is hereby authorized and required to advertise for competitive bids for the purchase of all supplies used by Laurens County, including the county home, and shall accept the lowest responsible bid for the same and any purchase not made in conformity thereto shall not be a debt against the county. *Provided*, however, the board of commissioners shall purchase any such supplies from the State Purchasing Agent if such purchases can be made at a cost less than the lowest bid herein referred to. Supplies herein mentioned include road materials, office equipment, and other equipment and machinery of a value of more than one hundred dollars, but does not include purchase of parts or personal service for repairs of equipment where no competitive part or service is available; *provided*, that the board shall have the right to reject any bid which does not meet its requirements as to quality, specifications or description. *Provided*, further, that the term "board of commissioners" shall include the supervisor and the two county commissioners.

SECTION 12. The salaries herein provided for the various officers of Laurens County, except magistrates, shall be in lieu of all fees and costs, of whatsoever nature or description, collectible by them for services rendered on or after April 1, 1935. All fees or costs collected by any of such officers under the law providing the same for services rendered shall be turned over by such officer to the County Treasurer of Laurens County monthly, together with a statement under oath, showing the amount collected during the month immediately preceding such statement. All county officers are hereby forbidden to deposit any monies belonging to the county with his or her personal accounts.

SECTION 13. The official bond required of the Sheriff of Laurens County shall be five thousand dollars for which amount he shall give bond for the faithful performance of his duties, the premium of

which shall be paid by the county ; *provided*, that each of his deputies is required to give surety bond, conditioned upon the faithful performance of his duties, in the sum of one thousand dollars, the premium of the bonds of such deputies to be paid by Laurens County.

SECTION 14. There is hereby levied upon all the taxable property of the Laurens Hospital District four mills, which shall be known as the hospital fund for the Laurens Hospital District. Out of this fund there shall first be paid the insurance premium of the fire insurance policy covering the hospital located in the District and the balance thereof shall be expended for the care and support of the needy or charity patients of the Laurens Hospital District and it shall be the duty of the county board of commissioners to pass upon all claims approved by the operating board of trustees of the Laurens County Hospital District, *provided*, however, that patients admitted to the hospital from the county jail, county gang and from courts of the county and State shall be considered and treated as charity.

SECTION 15. There is hereby levied upon all the taxable property of the Clinton Hospital District four mills, which shall be known as the hospital fund for the Clinton Hospital District. Out of this fund there shall first be paid the insurance premium of the fire insurance policy covering the hospital located in the District and the balance thereof shall be expended for the care and support of the needy or charity patients of the Clinton Hospital District and it shall be the duty of the county board of commissioners to pass upon all claims approved by the operating board of trustees of the Clinton County Hospital District, *provided*, however, that patients admitted to the hospital from the county jail, county gang, and from the courts of the county and State shall be considered and treated as charity.

SECTION 16. Provisions made herein for additional clerical help in the several offices shall not be used to supplement salaries of regular employees.

SECTION 17. The county treasurer is hereby authorized, empowered and directed to transfer from the county sinking fund to the general fund of the county the funds now in and hereafter accruing to the account for the past indebtedness.

SECTION 18. The auditor shall levy and the treasurer shall collect the tax on all the taxable property of Laurens School District

No. 55 and Laurens School District No. 56, not to exceed thirty-five mills. *Provided*, that in School District No. 56 the above thirty-five mill levy shall include four mills for the payment of the bond levy, and one mill which shall be applied to the existing deficit. *Provided*, further, that in the event any money shall remain in the current operating fund of School District No. 55 or School District No. 56, at the end of the fiscal year, all such money shall be applied to any deficit of the respective districts. The treasurer shall credit the amounts collected in the respective districts to the account of the districts, and the funds shall be expended under the supervision and direction of the trustees of such school districts for general school purposes.

Provided, further, that the trustees of either School District No. 55 or School District No. 56 shall petition the County Board of Education of Laurens County for an election on the question of raising the levy for school purposes whenever a greater levy than thirty-five mills is needed to meet the budgets of the school districts.

SECTION 19. Any funds received by the treasurer by reason of the terms of the Appropriations Act for 1962 for the benefit of the schools of Laurens County shall be credited to the districts as provided by law and shall be expended by the trustees of the districts for general school purposes.

SECTION 20. This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R1092, H2564)

No. 1145

A Joint Resolution Providing For A Referendum To Determine Whether Or Not The Qualified Electors Favor The Issuance Of One Hundred Twenty-Five Thousand Dollars Of General Obligation Bonds Of The County For Expanding And Increasing The Facilities Of The Laurens County Library.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County to have referendum on expanding county library facilities—bond issue.—In order to ascertain if the approval of the qualified electors of Laurens County shall be given to

the issuance of not exceeding one hundred twenty-five thousand dollars of general obligation bonds of Laurens County for expanding and increasing the facilities of the Laurens County Library, a special election shall be held in Laurens County on such occasion as shall be fixed by the county board.

SECTION 2. Question.—The election shall be conducted by the Commissioners of Election for Laurens County and shall be held in accordance with the provisions of the South Carolina election law applicable to special elections and all persons resident in the county and qualified to vote under the Constitution and laws of the State shall be permitted to vote. The ballot to be used in such election shall be in form substantially as follows:

“Shall the County Board of Commissioners of Laurens County be authorized and empowered to issue not exceeding one hundred twenty-five thousand dollars of general obligation bonds of Laurens County, the proceeds of which shall be used for expanding and increasing the facilities of the Laurens County Library?

YES ☐
NO ☐

Appearing on the ballot shall be instructions clearly printed apprising those who wish to vote in favor of the issuance of the bonds to place a check or cross mark in the square appearing opposite the word “YES”, and those who oppose the issuance of the bonds to place a check or cross mark in the square opposite the word “NO”.

SECTION 3. Conduct of election.—The county board shall have the necessary ballots prepared and the commissioners of election shall have the required number of ballots delivered to each voting place of the county.

SECTION 4. Conduct of election—further.—The managers of each precinct shall file with the Commissioners of Election for Laurens County returns showing the number of ballots delivered to them, the number of ballots used in the election and the number spoiled, the number of persons voting in favor of the issuance of the bonds and the number of persons voting against the issuance of the bonds, and shall report on any special circumstance occurring during the election.

Upon receipt of the returns of all of the managers, the commissioners of election shall certify the results of the election to the county board.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1157, H2723)

No. 1146

An Act To Ratify The Transfer Of Sixty-Five Thousand Dollars From The County Bond Fund To The General Fund By The Treasurer Of Laurens County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County transfer of funds ratified.—The transfer of sixty-five thousand dollars from the Laurens County bond fund to its general fund by the treasurer of the county on June 10, 1961 is hereby ratified.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1181, H2668)

No. 1147

An Act To Provide A Supplemental Appropriation For An Increase In Teachers' Salaries In Laurens County And To Provide A Tax Levy Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County—supplemental appropriation to increase teachers salaries in School Districts 55 and 56.—There is hereby appropriated thirty-three thousand dollars for School District No. 55 and thirty-one thousand dollars for School District No. 56, which shall be utilized as a supplement to increase to twenty per cent the 1961-1962 State Aid Schedule for teachers in the respective districts. *Provided*, that the county auditor shall first ascertain from the State Auditor whether or not sufficient State funds will be forthcoming for this purpose. If, by June 1, 1962, the county auditor determines that State funds are in-

sufficient to pay the increase provided in this act, the auditor of the county shall levy, and the treasurer shall collect, a sufficient tax in the respective districts to pay the increase; *provided*, however, the tax shall in no event exceed five mills.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1182, H2669)

No. 1148

An Act To Repeal Acts Of 1962, Bearing Ratification Numbers 816 And 817, Which Provide For A Referendum In School District Numbers 55 And 56 Of Laurens County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Acts 1142 and 1143 of 1962 repealed.—The Acts of 1962, bearing Ratification Numbers 816 and 817, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1084, H2553)

No. 1149

An Act To Make Appropriation For The Operating Expenses Of Lee County For The Fiscal Year 1962-1963, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Out of the available funds now on hand, and to be received, there is hereby appropriated for county purposes for the fiscal year beginning July 1, 1962, and ending June 30, 1963, the following:

Item 1. Roads, bridges and chain gang:

Salary, Superintendent of Roads	\$ 4,260.00
Salary, Bridge Superintendent	3,120.00

Salary, (2) employees @ \$2,820.00	5,640.00
Salary, (3) employees @ \$2,520.00	7,560.00
Salary, (1) employee	1,800.00
Clothing and bedding for prisoners	3,000.00
Gasoline, oil, grease, tires and tubes	7,000.00
Lumber and pipe	2,500.00
Coal, lights, medicine and doctors' bills	2,400.00
Repairs and other miscellaneous items	11,000.00
Dieting prisoners and guards' meals	6,500.00

Total Item 1\$ 54,780.00

Item 2. Administrative:

Auditor (to make total salary \$5,348.00)	\$ 1,500.00
Treasurer (to make total salary \$5,348.00)	1,500.00
Clerk of Court	2,360.00
Attorney	600.00
Coroner	775.00
Chairman, County Board of Commissioners additional	260.00
County Commissioners, seven @ \$600.00 each ..	4,200.00
Clerk, Auditor's Office	2,580.00
Clerk, Treasurer's Office	2,580.00
Clerk, County Board of Commissioners	3,400.00
Assistant Clerk, County Board of Commissioners ..	1,200.00
Clerk, Clerk of Court's Office	2,580.00

Total Item 2\$ 23,535.00

Item 3. Judicial:

Judge of Probate	\$ 1,200.00
Magistrate, Bishopville	1,800.00
Magistrate, Lynchburg	1,100.00
Magistrate, Lucknow	600.00
Magistrate, St. Charles	600.00
Magistrate, Spring Hill	600.00
Magistrate, Ashwood	600.00
Magistrate, Cypress	600.00
Magistrate, Ionia	600.00
Magistrate, Stokes' Bridge	600.00

Jurors, bailiffs and witnesses, including per diem
of jurors and bailiffs at \$4.00 and witnesses at

	\$1.00 per day	2,000.00
	Total Item 3	\$ 10,300.00
Item 4.	Law Enforcement :	
	Sheriff, salary	\$ 4,380.00
	Sheriff, traveling expense	1,500.00
	Deputies, (5) at \$2,700.00 each per annum	13,500.00
	Deputies, subsistence (5) at \$600.00 each per annum	3,000.00
	Clerk, Sheriff's Office	2,580.00
	Jailor	1,860.00
	Miscellaneous jail expense	1,000.00
	Dieting jail prisoners	2,400.00
	Uniforms for Sheriff and (5) deputies	900.00
	Miscellaneous administrative expenses	200.00
	Gas, oil, batteries, tires and repairs to police cars	5,000.00
	Transporting prisoners outside State at five dollars per day upon verified claims	200.00
	Total Item 4	\$ 36,520.00
Item 5.	Social Welfare :	
	General relief	\$ 3,500.00
	Old soldiers and their widows residing in Lee County	60.00
	Lee County Health Department	8,000.00
	Public Welfare Department (matching fund for expenses)	1,000.00
	Vital Statistics (Health Department)	250.00
	Total Item 5	\$ 12,810.00
Item 6.	Courthouse and public buildings :	
	Workmen's compensation insurance	\$ 1,000.00
	Water, fuel, lights, insurance and bonds	8,740.00
	Janitor, Courthouse	2,120.00
	Janitress Courthouse (appointed by janitor) ..	675.00
	Total Item 6	\$ 12,535.00

Item 7. Miscellaneous:

Contingent fund, to be disbursed only on written approval of the county legislative delegation . . .	\$ 8,000.00
Post mortems and lunacy	1,500.00
Board of Tax Assessors and Tax Appeals	1,000.00
Books, etc., Clerk of Court's Office	1,000.00
Printing, postage and stationery	1,800.00
American Legion Hut and grounds, Bishopville . . .	100.00
American Legion Hut and grounds, Lynchburg . . .	100.00
V. F. W. Hut and grounds, Bishopville	100.00
4-H Boys' Club Work	100.00
4-H Girls' Club Work	100.00
Additional salary, Home Demonstration Agent . . .	420.00
Additional salary, County Agent	900.00
Additional salary, Assistant County Agent	660.00
Home Demonstration Agent and County Agent demonstration supplies	125.00
Salary, County Service Officer	3,200.00
Clerk, County Service Officer	1,600.00
Travel for Service Officer inside county	300.00
Travel and expenses for Service Officer outside county	300.00
Rent for office of Service Officer	540.00
Coroner's jurors @ \$2.00 per day	200.00
County payment retirement fund	1,500.00
Historical Commission, for purchase and erection of historical markers	1,000.00
Civil defense (county's part) salaries and administration	2,000.00
Lee County Public Library Commission for books	1,000.00
Lee County Public Library Commission for miscellaneous expenses	700.00
Salary, County Librarian	2,580.00
Salary, Assistant County Librarian and bookmobile librarian	1,300.00
Gas, oil, repairs, etc., library truck	450.00
Social Security	2,500.00
Company "D" Third Battle Group, South Carolina National Guard	1,500.00
Rural Fire Protection Commission	1,500.00

Lee County Industrial Planning Board	3,500.00
Rent, cotton platform @ \$65.00 per month	780.00
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Total Item 7	\$ 42,355.00
Item 8. Traveling Expenses:	
County Commissioners, seven @ \$330.00 each .. \$	2,310.00
Coroner	240.00
Auditor	360.00
Treasurer	360.00
Clerk of Court	240.00
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Total Item 8	\$ 3,510.00
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GRAND TOTAL	\$196,345.00
Less Estimated Indirect Revenue:	
Commutation Road Tax	\$ 2,600.00
Gasoline Tax	59,000.00
Income Tax	24,500.00
Beer, Wine and Whiskey Tax	19,500.00
Fines and Costs	26,000.00
Insurance Fees	6,300.00
State Contribution to County Service Officer ..	3,900.00
Other sources	8,000.00
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Total	\$149,800.00
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Amount to be raised by taxation	\$ 46,545.00

SECTION 2. The Auditor and Treasurer of Lee County are hereby authorized and directed to levy and collect upon all the taxable property of Lee County a sufficient number of mills, not to exceed ten mills, if so much be necessary, to raise the amount stated in this appropriation act to be raised by taxation.

SECTION 3. The funds appropriated for roads, bridges and chain gang shall be spent and used in such a way as to cover the entire period of this act, and as near equally per month as possible, and the county board of commissioners is hereby forbidden to contract for or spend in excess of the appropriation in any way or make indebtedness therefor which cannot and is not paid for on the tenth of the next month after the purchase or expenditure is made. Any violation of

this section shall subject the member or members of the commission to immediate removal by the Governor upon the written recommendation of the entire Lee County Legislative Delegation and any such purchase or expenditure in excess of the sums so appropriated shall not be an obligation of Lee County and be null and void.

SECTION 4. The funds appropriated for each and every purpose shall be used for that purpose only, and no part thereof shall be diverted from any one appropriation to another without the written consent of the Lee County Legislative Delegation.

SECTION 5. The county board of commissioners is hereby authorized, empowered and directed to keep all county records, books and vouchers in the board's office in the county courthouse and to keep such office open each weekday. They shall at all times keep an exact record of all sums paid on each and every appropriation of the county.

SECTION 6. The County Board of Commissioners of Lee County is hereby authorized, required and directed to buy the various provisions, supplies, etc., except perishables, necessary for the county chain gang at lowest possible prices. Fresh meats and vegetables shall be bought from local merchants on an impartial rotating basis, with no regard to factional affiliation. Gas, oil and grease shall be purchased from the five major distributors in Lee County on a monthly rotating basis. The superintendent of roads shall be scrupulously fair in the division of this business.

SECTION 7. All new machinery, automotive and other equipment for the county and all political subdivisions of the county shall be purchased only by the county board of commissioners with the approval of the Lee County Legislative Delegation.

SECTION 8. The superintendent of roads shall use every care to keep the cost of operation of the chain gang as low as possible and he shall cause the prisoners and guards to keep all machinery and equipment properly greased and he shall cause the prisoners and guards to take extra care in operating the machinery and equipment. It shall be unlawful for any person to use gas or oil from county supplies in any vehicle other than county-owned. This shall apply to county commissioners, sheriff's department, rural police, county officials, or any other citizen.

SECTION 9. The County Board of Commissioners of Lee County shall be the sole purchasing agent for Lee County and any and all officers or employees of Lee County who may need any books, provisions, supplies and other material or thing for their offices or departments shall request the purchase of same by written request to the County Board of Commissioners of Lee County, which commission, if it deems the purchase necessary and strictly within the appropriation for such office or department, shall issue its regular requisition blank, numbered serially, in triplicate, for the purchase, deliver one copy to the officer or department requesting the purchase, deliver one copy to the seller to be presented along with the seller's itemized bill for such purchase at the time payment therefor is made. No officer or employee of Lee County shall make any purchase except in the manner herein provided and any purchase made or contracted for except by virtue of a proper requisition blank shall not be a debt against the county, but shall be the individual debt of the person making such a purchase. A copy of this section shall be mailed by the county board of commissioners to every officer or employee of Lee County and to such other concerns and people as it may deem proper.

SECTION 10. In order to prevent lost motion, duplication of effort and lack of definite responsibility, the chairman of the county board of commissioners is required to devote such part of his time as the county board of commissioners may determine to be necessary. He shall execute the orders and policies of the commission, but no authority is denied the other members of the commission, nor is the chairman vested with greater power than his fellow members, but for convenience and better business methods, concentration of execution is delegated to the chairman rather than the entire commission. *Provided*, that in the case of incapacity of the chairman his duties shall, with the consent of the entire Lee County Legislative Delegation, devolve upon the other members of the county board until a chairman is again chosen.

SECTION 11. The county board of commissioners shall have full supervision of the county chain gang and there shall be paid out of the funds appropriated for dieting county gang prisoners, upon itemized statements properly verified by seller and approved by the board, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners. *Provided*, however, such cost shall not exceed the sum of eighty cents per day for each prisoner confined on the chain gang, and the superintendent of roads shall file a monthly report

showing an itemized list of all prisoners confined on the chain gang, the exact number of days each prisoner spent on the chain gang that month and the total maximum authorized cost based on the number of prisoners at the rate of eighty cents per day. No bill in excess of the maximum authorized cost shall be paid except with the written approval of the Lee County Legislative Delegation.

SECTION 12. The county board of commissioners shall pay out of the appropriation for extra food for gang employees, upon itemized statement properly verified by seller and approved by the board, the actual cost of extra food for meals of gang employees while on duty; *provided*, however, such cost shall not exceed the sum of fifteen dollars per month for each employee.

SECTION 13. The Board of County Commissioners of Lee County is hereby authorized to borrow, upon the written approval of the Lee County Legislative Delegation, not exceeding ninety per cent of the amount to be raised by taxation by the above levy, on note or notes to be executed by the chairman of the board and the County Treasurer of Lee County, which notes when so executed shall be a first lien on all taxes to be raised by the levy.

SECTION 14. The provisions of Section 20-32, Code of Laws of South Carolina, 1952, and acts amendatory thereto, so far as the same shall affect the payment of fifty cents on each marriage license fee by the Judge of Probate of Lee County unto the Treasurer of Lee County, are hereby repealed for this fiscal year only and the Probate Judge of Lee County is hereby authorized and directed to retain the full marriage license fee for each marriage license issued by him.

SECTION 15. Each magistrate is hereby required to account to and pay the county treasurer on or before the tenth day of each month for all fines and monies collected by him as magistrate during the preceding month and file a written report with the county board of commissioners, showing all criminal cases brought before him and their disposition, and no magistrate shall be paid his monthly salary until such monthly accounting and report is made.

SECTION 16. The sheriff shall have full supervision of the county jail and there shall be paid out of the funds appropriated for dieting jail prisoners, upon itemized statements properly verified by seller and approved by the sheriff, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners; *provided*, such

food cost shall not exceed the sum of eighty cents per day for each prisoner confined in the jail, and the jailor shall file a monthly written report showing an itemized list of all prisoners confined in the jail and the exact number of days each prisoner spent in the jail that month, and the total maximum authorized cost based on the number of prisoner days at the rate of eighty cents per day. No bill in excess of such maximum authorized cost shall be paid except with the written approval of the Lee County Legislative Delegation.

SECTION 17. The county board of commissioners shall also pay out of funds appropriated the actual cost of all necessary clothing, fuel, bedding and other camp equipment, and the superintendent of roads shall have a trusty, or trusties, prepare and cook the food, keep the camp and stockade clean and well heated, and the bedding and clothing in good order.

SECTION 18. The county board of commissioners is hereby directed at least once each month to have a suitable detail of gang prisoners thoroughly clean the county courthouse and grounds and the Lee County Memorial Hospital grounds.

SECTION 19. The amount herein appropriated shall be spent over the entire period of this act, as near equally per month as possible, and any officer or employee who shall contract for or spend in excess of the appropriation for his department shall be subject to removal by the Governor, upon the written recommendation of the entire legislative delegation, and any such purchase or expenditure in excess of the sum so appropriated shall not be an obligation of Lee County and is null and void.

SECTION 20. The amounts listed herein for the payment of each of the clerks in the office of county commissioners, sheriff, auditor, clerk of court, and treasurer are for the clerks of such offices, on March first, of this fiscal year; and in case a new clerk is placed in any of such offices, his or her salary shall be approved by the Lee County Legislative Delegation.

SECTION 21. The amounts herein listed for additional salary—County Agent, and additional salary—Assistant County Agent, are for the present County Agent and the present Assistant County Agent, and in case a new person is placed in either position, the additional salary shall not be paid until and unless the salary be first approved by the Lee County Legislative Delegation.

SECTION 22. All taxes and indirect revenue collected for ordinary county purposes during the fiscal year 1961-1962, in excess of the amount necessary to pay appropriations for the fiscal year 1961-1962, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund, and any balance remaining on hand on July 1, 1962, shall be used to meet appropriations for the fiscal year 1962-1963, and all taxes and indirect revenues collected for ordinary county purposes during the fiscal year 1962-1963, in excess of the amount necessary to pay appropriations for the fiscal year 1962-1963, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund.

SECTION 23. Any and all unused balances in any and all accounts for the fiscal year 1961-1962 shall be automatically transferred to the contingent fund account for the fiscal year 1962-1963.

SECTION 24. The County Board of Commissioners of Lee County is hereby authorized to refinance any existing indebtedness of Lee County evidenced by notes or bond issues, where a material saving in interest can be had, and any note or notes given for such purpose shall be executed by the chairman of the board and the Treasurer of Lee County, and when so executed shall be a first lien on all taxes levied or to be levied for the purpose of the original note or bond issue so refinanced.

SECTION 25. The County Board of Commissioners of Lee County is hereby authorized and directed to terminate, with or without notice, the appointment of any cotton weigher appointed by the board in the event such cotton weigher fails to properly perform his duties as determined by the Lee County Marketing Commission by majority vote.

SECTION 26. The County Board of Commissioners of Lee County is hereby authorized to use, as they deem necessary, general relief or general assistance funds for general relief of indigent citizens, but care shall be used that only absolute charity patients receive relief funds.

SECTION 27. The County Board of Commissioners of Lee County is hereby authorized and directed to allow the use, from month to month, of such portion of the unused open land on the county farm as the county board of commissioners may deem necessary for an airport at Bishopville, and such commission shall supervise the use of the airport and the construction of any hangar or hangars thereon.

SECTION 28. The Lee County Legislative Delegation is hereby authorized to have an audit made, covering the fiscal year 1961-1962, of any and all offices and departments of Lee County and shall pay for same out of the County Contingent Fund.

SECTION 29. Every county officer and employee is prohibited from making any purchase for Lee County from any officer or employee of Lee County, and no purchase so made shall be an obligation of Lee County, and no county officer or employee shall use any county property for his own use, but only for necessary official use.

SECTION 30. The county treasurer is directed, upon the written authorization of the Lee County Legislative Delegation, to set aside and transfer as much of the county surplus funds as in the opinion of the Lee County Legislative Delegation may be proper for the construction of any public improvements designated by the delegation, and as much of such surplus funds as in the opinion of the Lee County Legislative Delegation, by written order, may be needed for ordinary county purposes.

SECTION 31. The various officers and employees of the county are hereby directed to file with the Chairman of the Lee County Legislative Delegation and the chairman of the County Board of Commissioners of Lee County duplicate quarterly reports showing the status of such office or department and such other information as the county board or the Lee County Legislative Delegation may request. If any officer or employee fails to file such quarterly report within fifteen days after the end of each quarter, the county board of commissioners is hereby directed to withhold payment of salary of such officer or employee until such officer or employee files such quarterly report, as provided herein.

SECTION 32. The words "Lee County Legislative Delegation", as used in this act, mean the Senator and the member of the House of Representatives from Lee County, unless the context clearly shows otherwise.

SECTION 33. No office equipment, furniture, fixtures, nor any machinery, tractors, road patrols, trucks, automobiles, or any other heavy machinery, shall be purchased out of county funds by any officer or employee of Lee County without the written approval of the Lee County Legislative Delegation.

SECTION 34. The Auditor of Lee County is hereby authorized and directed to levy and the Treasurer of Lee County is hereby authorized and directed to collect eight mills additional upon all of the taxable property of Lee County, to assist in the operation of the Lee County Memorial Hospital. Such funds are to be credited to the Lee County Memorial Hospital account, and are to be transferred to the account of the Treasurer of Lee County Memorial Hospital Commission at the rate of three thousand dollars per month. Any funds in excess of the above amount may be transferred to the General Fund by written order of the legislative delegation.

SECTION 35. Every officer and employee of every board, commission or department of Lee County and its school system shall pay at the earliest possible date all past due taxes due Lee County, and the Sheriff of Lee County is hereby directed to mail to the Lee County Legislative Delegation and the County Board of Commissioners immediately after July 1, 1962, a statement of all past due taxes of every such officer or employee.

SECTION 36. The funds provided for uniforms for law enforcement officers shall be disbursed by the county treasurer only upon properly receipted invoices showing that the individual policeman has actually purchased the equipment for which he is being reimbursed.

SECTION 37. All other provisions of law to the contrary notwithstanding the millage levied by the auditor and treasurer for school purposes in Lee County shall not exceed forty-two mills.

SECTION 38. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R684, S444)

No. 1150

An Act To Authorize The Board Of Trustees Of Lexington County School District No. 2 To Borrow Not To Exceed One Hundred Thousand Dollars For School Building Construction And Renovation And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington County School District 2 may borrow money.—The Board of Trustees of Lexington County School District No. 2 may borrow, for the purpose of constructing and renovating school buildings, not exceeding one hundred thousand dollars at the lowest interest available for a period of six months. The amount borrowed shall be evidenced by a note to be executed by the chairman of the board.

SECTION 2. Payment.—If the note is not paid by the board of trustees of the school district upon its maturity, then the auditor of Lexington County shall levy and the treasurer shall collect a tax on all taxable property of the school district sufficient to retire the loan and interest due thereon and the entire proceeds of the levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R698, S468)

No. 1151

An Act Directing The South Carolina State Highway Department To Remove Part Of A Certain Street In The Town Of Batesburg In Lexington County From Its System And Closing It To Public Use.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Portion of Rabun Street in Batesburg to be removed from highway system.—The South Carolina State Highway Department is hereby directed to remove from its system one block of Rabun Street running from South Carolina Highway No. 23 or Church Street, to North Railroad Avenue in the Town of Batesburg in Lexington County, which is a secondary road of the State Highway System.

SECTION 2. Street to be closed.—The portion of Rabun Street mentioned in Section 1 of this act is hereby closed to public use, and all rights, title and interest of the South Carolina State Highway Department in such portion of the street are hereby relinquished to the Town of Batesburg.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R705, H2069)

No. 1152

An Act To Authorize The Board Of Trustees Of Lexington County School District No. 1 To Issue General Obligation Coupon Bonds Or Coupon Notes Of The District In The Sum Of One Hundred Sixty Thousand Dollars, The Proceeds Of Which Shall Be Used For Certain Additions To The Lexington High School Plant At Lexington And The Gilbert High School Plant At Gilbert, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. On March 1, 1962, the Board of Trustees of Lexington County School District No. 1 is authorized to issue and sell general obligation coupon bonds or coupon notes of the district in the sum of one hundred sixty thousand dollars, the proceeds of which shall be used for certain additions to the Lexington High School Plant at Lexington and the Gilbert High School Plant at Gilbert.

SECTION 2. The principal and interest on the bonds or notes shall be paid according to the following schedule :

<i>Date of Payments</i>	<i>Principal to be Paid</i>
March 1, 1963	\$ 8,000.00
March 1, 1964	8,000.00
March 1, 1965	8,000.00
March 1, 1966	8,000.00
March 1, 1967	20,000.00
March 1, 1968	20,000.00
March 1, 1969	20,000.00
March 1, 1970	20,000.00
March 1, 1971	20,000.00
March 1, 1972	28,000.00

The auditor and treasurer of the county, respectively, shall levy and collect annually a tax upon all taxable property within the school district sufficient to pay the principal and interest as they become due.

SECTION 3. The bonds or notes shall be issued in such denominations as are provided in the schedule of annual payments of principal in Section 2 of this act, and shall bear a rate of interest of three and one-half per cent per annum.

SECTION 4. The bonds or notes shall be in such form as the trustees may determine and, together with the coupons, signed by a majority of the members of the board of trustees. They may be sold at public or private sale, with such advertisement as the board of trustees may determine.

SECTION 5. The proceeds from the sale of the bonds or notes shall be deposited with the county treasurer to the credit of the school district and shall be disbursed by warrants drawn thereon for the purposes set out in Section 1.

SECTION 6. For the payment of the bonds or notes and interest thereon, the full faith, credit and taxing power of Lexington County School District No. 1 are hereby irrevocably pledged.

SECTION 7. The bonds or notes and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 8. This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R712, H2027)

No. 1153

An Act To Reaffirm The Right Of The Board Of Trustees Of Brookland-Cayce School District No. 2 Of Lexington County, The State Of South Carolina, To Issue Not Exceeding Five Hundred Thousand Dollars Of General Obligation Bonds Of Said School District Pursuant To The Authorizations Set Forth In Act No. 522 Of The Acts Of The General Assembly Of The State Of South Carolina For The Year 1955, To Declare That The Condition Imposed By Said Act Relative To The Holding Of An Election In Said District Has Been Met, And To Make Further Provision For The Issuance And Sale Of Said Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Act No. 522 of the Acts of the General Assembly of the State of South Carolina for the year 1955 the Board of Trustees of Brookland-Cayce School District No. 2 of Lexington County, the State of South Carolina, was authorized and empowered to sell general obligation bonds of the said School District to the extent of not exceeding five hundred thousand dollars for the purpose of acquiring additional property, erecting, altering, or enlarging any building, or buildings, and purchasing equipment for public schools in the school district, or for paying any indebtedness incurred for these purposes, under the conditions imposed in said Act. Said conditions included the requirement that an election be held in said District to determine if a majority of the qualified electors voting at such election favored the issuance of bonds. Such election was duly and regularly held on the 31st day of May, 1955, and resulted favorably to the issuance of bonds by a vote of 511 to 88.

SECTION 2. Election validated.—The General Assembly finds that the election so held provided the expression of the electorate required by said Act No. 522 and therefore, validates and confirms the same in all respects and declares that this condition precedent to the issuance of bonds pursuant to said Act No. 522 has been met and was discharged.

SECTION 3. Brookland-Cayce School District 2 may issue bonds.—The Board of Trustees of Brookland-Cayce School District No. 2 of Lexington County, the State of South Carolina, is

hereby authorized and empowered to issue not exceeding Five Hundred Thousand Dollars (\$500,000.00) of general obligation bonds of said School District for the purposes set forth in Section 1 hereof, pursuant to the authorizations of Act No. 522 of the Acts of the General Assembly of the State of South Carolina for the year 1955, as implemented by the provisions of this Act.

SECTION 4. When bonds to be issued—bonds to be valid obligations.—All bonds issued pursuant to the authorizations of said Act No. 522, as implemented by the provisions of this Act, shall be issued on or before three years following the effective date of this Act, and when so issued shall be valid, binding and incontestable obligations of Brookland-Cayce School District No. 2 of Lexington County, the State of South Carolina, payable from ad valorem taxes upon all taxable property of said School District, without limit as to rate or amount.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are hereby repealed.

SECTION 6. Time effective.—This act shall take effect upon its approval by the Governor.

Approved the 1st day of February, 1962.

(R787, H2188)

No. 1154

An Act To Validate A Certain Obligation Of Lexington County In The Amount Of Four Hundred Sixty-Three Thousand Dollars And To Provide For The Payment Of Such Obligation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Obligation of Lexington County validated.—The General Assembly finds that prior to this enactment the Treasurer and Board of Commissioners of Lexington County borrowed four hundred sixty-three thousand dollars from the Division of Sinking Funds and Property evidenced by a note dated June 17, 1961, payable in five, equal, successive, annual installments with interest thereon at the rate of four per cent per annum. The General Assembly ratifies, approves and confirms the above obligation incurred on behalf of Lexington County and declares the obliga-

tion to be legal, valid and binding upon Lexington County. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Lexington County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of Lexington County are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R861, H2352)

No. 1155

An Act To Ratify The Sale And Conveyance Of Certain Land Owned By Lexington County To Mrs. Bertha K. Rikard.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sale and conveyance of Lexington County property ratified.—The sale and conveyance by W. W. Goza, L. L. Shull, B. H. Porth, K. B. Pound, County Commissioners of Lexington County, to Mrs. Bertha K. Rikard of a certain lot of land containing five and four-tenths acres owned by Lexington County and being a portion of a tract of land known as the Lexington County Poor Farm, by deed dated November 6, 1961 and recorded in the Clerk of Court's office for Lexington County in Deed Book 11-B at page 185, is hereby ratified and the fee simple title to the premises

is hereby declared to be vested in Mrs. Bertha K. Rikard, the grantee.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R898, H2356)

No. 1156

An Act To Authorize The Board Of Trustees Of School District No. 5 Of Lexington And Richland Counties To Issue Not Exceeding Six Hundred Thousand Dollars Of General Obligation Bonds Of The School District For The Purposes Enumerated Herein; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which The Proceeds May Be Expended And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that the area close to Irmo in Lexington and Richland Counties is one of the fastest growing areas in the State and takes further note of the fact that the continued growth of the school population of School District No. 5 of Lexington and Richland Counties requires additional high school facilities and that in order to raise moneys for that purpose general obligation bonds of the school district must be issued. The General Assembly finds that a new high school should be provided within School District No. 5 at or near the Methodist Church at Irmo or between Irmo and Whitehall Subdivision in Lexington County and that the present high school at Chapin should be retained. The new high school will provide instruction for students in the seventh through the twelfth grades. The General Assembly is determined to empower the Board of Trustees of School District No. 5 of Lexington and Richland Counties (hereinafter called "the Trustees") to provide additional public school facilities for the school district and to raise therefor the sum of six hundred thousand dollars through the sale of bonds authorized by this act.

SECTION 2. Lexington and Richland Counties School District 5 may issue bonds.—The Trustees are hereby authorized and empowered to issue general obligation bonds of School District No. 5 of Lexington and Richland Counties, either as a single issue, or from time to time as several separate issues, in the aggregate principal amount of not exceeding six hundred thousand dollars, and to apply the proceeds of the bonds to the purposes prescribed by this act.

SECTION 3. Issue—maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the Trustees shall provide for, except that the first maturing bonds of any issue shall mature not later than three years from the date as of which they shall be issued; not less than three per cent of any issue shall mature in any year; and no bond shall mature later than twenty years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the Trustees, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of the bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 5. Negotiable—registration.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Lexington County upon such conditions as the Trustees may prescribe. Except when so registered, all bonds issued pursuant to this act, shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Place of payment.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Trustees shall prescribe.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates to be determined by the Trustees.

SECTION 8. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the Trustees shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. All bonds authorized by this act shall be sold at public sale, after public advertisement of the sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of School District No. 5 of Lexington and Richland Counties shall be irrevocably pledged, and there shall be levied annually by the Auditor of Lexington County and the Auditor of Richland County, and collected by the Treasurer of Lexington County and the Treasurer of Richland County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Lexington County, to be deposited in a Bond Account Fund for the school district, and shall be expended and made use of by the Trustees as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on the bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to pay costs to be incurred in the constructing and equipping of the high school near Irmo.

(d) If any balance remain, it shall be held by the Treasurer of Lexington County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 13. Powers of trustees.—The powers and authorization hereby conferred upon the Trustees shall be in addition to all other powers and authorizations previously vested in the Trustees.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R908, H2463)

No. 1157

An Act To Authorize The Board Of Trustees Of School District No. 3 In Lexington County To Borrow Not Exceeding Twenty Thousand Dollars For Use In Constructing A New Cafeteria For The Batesburg-Leesville High School.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Trustees of Lexington County School District 3 may borrow money—issue notes—interest—when payable.—The Board of Trustees of School District No. 3 in Lexington County is authorized to borrow not exceeding twenty thousand dollars for use solely in the construction of a new cafeteria for the Batesburg-Leesville High School. The loan shall be evidenced by a note or notes executed by the trustees payable in installments of not less than two thousand dollars a year plus accrued interest, bearing the lowest rate of interest obtainable, and reserving the right to anticipate payment without penalty. The loan shall be repayable from revenue provided for school purposes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R1177, H2724)

No. 1158

A Joint Resolution To Provide For A Referendum In Lexington County To Determine The Wishes Of The Qualified Electors In Regard To The Joint Participation Of Lexington County With Richland County In The Construction Of A Civic Center And

Related Facilities At The State Fair Grounds At An Estimated Cost To Lexington County Of One Million Dollars.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington County—election concerning participation with Richland County in construction of civic center.—

The Commissioners of Election of Lexington County shall cause to be submitted to the qualified electors of the county at the first primary election to be held in 1962 the following question: "Do you favor Lexington County's joint participation with Richland County, at an estimated cost to Lexington County of one million dollars, in the construction at the State Fair Grounds of a civic center, including a public auditorium, a public coliseum and related facilities designed for educational and cultural purposes, and other buildings and facilities designed to disseminate scientific knowledge through the exhibition of agricultural, commercial and educational projects?"

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1225, H2494)

No. 1159**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Lexington County For The Fiscal Year Beginning July 1, 1962, And To Provide For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied from July 1, 1962 through June 30, 1963, a tax of seven mills, or an additional amount if necessary, on all taxable property in Lexington County for county purposes which, together with all further sums available for such purposes, shall be used for the payment of the items hereinafter set forth; *provided*, that all salaries herein appropriated shall be paid in monthly installments, with the exception of the Welfare Board, and the total of such items, other than salaries, shall be expended only as so much be necessary.

Item 1. Administrative Department:

A. County Auditor:

1. County Auditor (county's part) salary	\$ 2,865.45
2. Deputy Clerk to County Auditor	3,789.50
3. First Clerk to County Auditor	3,083.30
4. Second Clerk to County Auditor	2,772.00
5. Third Clerk to County Auditor	2,310.00
6. Travel, County Auditor	600.00

Provided, that the Auditor go to each town in the County for the purpose of taking tax assessments.

B. Clerk of Court:

1. Clerk of Court, salary	6,538.35
2. Deputy Clerk of Court	4,260.30
3. First Clerk to Clerk of Court	2,800.00
4. Second Clerk to Clerk of Court	2,700.00
5. Third Clerk to Clerk of Court	2,310.00
6. Part-time clerical assistant	2,000.00

Provided, that the balance remaining in Item 6 from prior appropriations shall be carried forward to the 1962-63 fiscal year and that that balance, plus the amount herein provided, shall be used for part-time clerical assistance.

C. County Treasurer:

1. County Treasurer (county's part) salary	2,865.45
2. Deputy County Treasurer	3,789.50
3. First Clerk to County Treasurer (tax)	3,201.00
4. Second Clerk to County Treasurer (fee)	3,201.00
5. Part-time clerical assistance	1,950.00

Provided, that the Treasurer shall furnish the Commissioners a monthly report of all paid claims issued by the Commissioners.

D. Board of Commissioners:

1. Commissioners' salaries, four at \$1,850.00	7,400.00
2. Clerk to County Commissioners, salary	4,472.60
3. Assistant Clerk to County Commissioners	2,530.00
4. Travel, County Commissioners, three at \$900.00, Chairman at \$1,200.00	3,900.00

Item 2. Judicial Department:

- A. Jurors, witnesses and bailiffs\$ 15,000.00

Provided, that all court attaches, petit jurors and jurors of the court of general sessions and the court of common pleas shall be paid at the rate of seven dollars per diem. *Provided*, further, that the court crier and chief bailiff shall be paid at the rate of eleven dollars per diem. *Provided*, further, that all jurors shall be paid mileage at the rate of five cents per mile per day in traveling to and from court.

B. Probate Court:

- | | |
|--|----------|
| 1. Probate Judge, salary | 5,729.85 |
| 2. First Clerk to Probate Judge | 2,640.00 |
| 3. Second Clerk to Probate Judge | 2,310.00 |

C. Juvenile-Domestic Relations Court:

- | | |
|---------------------------------------|----------|
| 1. Judge's salary | 7,902.30 |
| 2. Probation Officer | 4,354.90 |
| 3. Clerk-Stenographer | 3,289.00 |
| 4. Travel for probation officer | 1,200.00 |

D. Salaries of Magistrates:

- | | |
|----------------------|----------|
| District No. 1 | 3,190.00 |
| District No. 2 | 2,640.00 |
| District No. 3 | 2,640.00 |
| District No. 4 | 2,640.00 |
| District No. 5 | 2,860.00 |
| District No. 6 | 2,860.00 |

Provided, that during week days, each magistrate shall have regular office hours of a minimum of two hours per day and shall give public notice of such hours.

E. Salaries of Magistrates' Constables:

- | | |
|--|----------|
| District No. 1 | 3,590.40 |
| District No. 2, Salary \$3,590.40, Travel \$800.00 | 4,390.40 |
| District No. 3 | 3,590.40 |
| District No. 4 | 3,300.00 |
| District No. 5 | 3,590.40 |
| District No. 6 | 3,590.40 |

Provided, that the Constable of District 2 shall be employed full time and be equipped with a

car radio and shall police and patrol the district, including the area within the limits of the Towns of Chapin and Irmo, under the direction and control of the Sheriff's office when not otherwise engaged in official business attendant to the office of Magistrate.

Provided, further, that all Magistrates' Constables, to be qualified to receive the salaries herein set forth, shall be qualified graduates of the South Carolina Law Enforcement Division School for Officers and all Constables subsequently appointed must within one year after their appointment become graduates of the school for officers.

F. Coroner:

1. Coroner's salary	1,980.00
2. Coroner's travel	800.00
3. Post mortems, inquests	1,200.00
4. Lunacy	400.00

Item 4. Law Enforcement:

A. Office of Sheriff:

1. Salary	6,538.35
2. Travel expense	1,200.00

B. Deputy Sheriffs:

1. Salary of Deputy Sheriffs, eight at \$4,354.90 each per annum and one chief deputy at \$4,593.60 ..	39,432.80
2. Travel expense, nine at \$1,200.00 per annum ..	10,800.00
3. Purchase of gasoline and oil	12,000.00
4. Maintenance of radio equipment	2,000.00
5. Uniforms for Deputy Sheriffs	1,350.00

Provided, that the chief deputy so designated by the Sheriff shall have full authority to act for and in behalf of the Sheriff in the absence of the Sheriff.

Provided, that sums herein appropriated for travel expenses for the Sheriff and his Deputies shall be the only sum paid to the Sheriff and his Deputies for Travel expense in criminal matters and they shall not receive extra pay for the transferring or transporting of prisoners and

insane persons, the same being in the regular line of duty.

Provided, further, to be eligible to receive the salaries herein provided all Deputy Sheriffs must within one year after his or their appointment be graduated from the Law Enforcement School for Officers.

C. Jail :

1. Jail expenses	15,000.00
2. Jailer	2,589.40
3. Jailer	2,589.40
4. Jailer	2,589.40

D. Office of Tax Collector :

1. Salary of Deputy Tax Collector	3,083.30
2. Clerical Assistance	1,540.00

Item 4. Public Works, Roads and Bridges :

A. District salaries of employees and maintenance expenses :

District No. 1	\$ 49,500.00
District No. 2	47,000.00
District No. 3	47,000.00
District No. 4	27,000.00

B. Depreciation reserve for purchase of new machinery

40,000.00

Provided, that Item A shall be expended only upon approval of a majority of the Board of Commissioners.

Provided, further, that Item B shall be expended only for needed machinery and only upon approval of a majority of the County Board of Commissioners and any balance remaining shall be carried forward to the next fiscal year.

Provided, further, that a monthly report shall be rendered and filed by the clerk of the County Board of Commissioners to each Commissioner and to the Lexington County Legislative Delegation in the General Assembly.

Provided, further, that the Commissioners shall not expend or obligate to expend more than one-half of the amounts herein appropriated prior to January 1, 1963.

Item 5. Social Welfare

- A. Supplemental salary for members of Lexington County Public Welfare Board to be paid semi-annually\$ 726.00
Provided, that the members of the board shall be paid semiannually.
- B. Approved emergency and charity relief 50,000.00
Provided, that claims for the care of medically indigent persons by eleemosynary institutions shall be equitably discharged from the amount above appropriated.
- C. Lexington County Health Department 43,387.20

Item 6. Courthouse and Offices:

- A. Insurance\$ 3,000.00
- B. Telephone 7,150.00
- C. Water, lights and fuel 12,000.00
- D. Maintenance Engineer 4,400.00
1. Clerk-Maintenance Engineer and Delegation .. 2,200.00
 2. Janitor-Memorial Office Building 2,640.00
 3. Janitor-County Buildings 2,648.80
 4. Cleaning and Toilet Supplies 6,500.00
 5. Building Repairs and Maintenance 6,500.00
 6. Equipment Repairs and Maintenance 1,000.00
 7. New Equipment (Office) 1,500.00
- E. Premium on bonds for county officials 1,500.00
- F. Workmen's Compensation Insurance (not to be spent if paid for by State) 3,000.00
- G. Printing, stamps and stationery for county offices 25,000.00
- H. Janitor of County Buildings (Health Center) .. 2,228.60
1. Travel to health centers, to be paid monthly 480.00
- I. Board of Equalization 3,600.00
Provided, that this shall be expended only upon approval of a majority of the legislative delegation.
- J. Board of Registration 2,640.00
Provided, that not more than one-fourth of the amount appropriated shall be expended without approval of a majority of the legislative delegation.
- K. Supplemental Travel to County Agent 321.00

1. Travel to Assistant County Agent	214.00
2. Clerk to County Agent	535.00
L. Supplemental travel to Home Demonstration Agent	321.00
1. Clerk to Demonstration Agent	535.00
M. Secretary to County Service Officer	2,730.20
N. Renovation of Courthouse Basement	20,000.00
Item 7. County Board of Education:	
There shall be paid through the office of the County Superintendent of Education the following:	
A. Salary and travel for County Board of Education	\$ 1,000.00
B. Supplement salary, Superintendent of Education	1,946.70
1. Travel for Superintendent of Education	200.00
C. Clerk to Superintendent of Education	3,436.40
D. Supplement salary and travel, attendance teacher	1,123.50
E. Circulating Library Fund	30,000.00
F. Publication of county educational directory	700.00
<i>Provided</i> , that the funds appropriated under Item 7 shall be approved and disbursed by the County Board of Education.	
<i>Provided</i> , further, that any balance remaining in Item 7, Section E, from prior appropriations shall be carried forward to the 1962-1963 fiscal year and that that balance shall be added to the appropriation herein made and disbursed accordingly.	
Item 8. County Attorney	\$ 1,531.20
<i>Provided</i> , that the county attorney shall be elected by a majority vote of the County Board of Commissioners of Lexington County and he shall be paid a retainer's fee of one hundred twenty-seven and 60/100 dollars per month out of the above appropriation and by being so retained he shall be available to any and all county officials at any time they need his legal advice.	
<i>Provided</i> , however, for extra work done, such as preparing pleadings, making appearances in	

court and trying cases, he shall be paid additional fees for such extra services in line with fees charged by members of the Bar of Lexington County for similar services.

Item 9. Miscellaneous:

A. Miscellaneous Contingent\$ 75,000.00

Provided, that any claims or items payable from the miscellaneous contingent fund herein appropriated shall be approved by a majority of the county legislative delegation, including the Senator, and upon such approval the Board of Commissioners and the clerk of the board are hereby authorized to issue vouchers for same, *Provided*, however, that a sum not exceeding eight thousand dollars in the aggregate amount of the appropriation herein made may be expended upon the approval of a majority of the members of the Board of County Commissioners; *provided*, further, that from this amount may be paid the actual expenses incurred for the apprehension and return of escaped prisoners from Lexington County, or any other suspect of a criminal nature from without the boundaries of the State of South Carolina, which return has been approved by the Board of County Commissioners.

B. 4-H Boys' Club 100.00

C. 4-H Girls' Club 100.00

D. Future Farmers of America (White Chapter) .. 250.00

E. Women's Home Demonstration Camp 75.00

F. Demonstration Supplies for Home Agent 100.00

G. Lexington County T. B. Association 1,000.00

H. Batesburg-Leesville National Guard Unit 800.00

I. West Columbia National Guard, two units at \$800.00 1,600.00

J. Lexington National Guard Unit 1,800.00

K. Lexington County Supervisors, Lexington Soil Conservation District, Lexington County 500.00

L. West Columbia Rescue Squad 200.00

M. Swansea Rescue Squad 200.00

N. Leesville Rescue Squad 200.00

O. American Legion Junior Baseball Program	500.00
P. West Columbia-Cayce, Lexington and Bates- burg-Leesville Chamber of Commerce @ \$750.00	2,250.00
Q. Cooperative Breeder's Association	750.00
TOTAL	\$797,358.75

SECTION 2. All salaries as fixed in this act shall be in lieu of any and all fees and the acceptance of the same by any county official or employee while engaged in county business shall cause the salary of the county official or employee to be reduced accordingly; *provided*, however, that the magistrates and magistrates' constables shall have the right to charge the legal rate for their services in all civil matters and retain such fees, which charges shall be collected from the parties to the civil matters.

SECTION 3. Funds appropriated herein shall be expended according to the following provisions:

(a) That the legislative delegation shall have the authority to authorize an audit of Lexington County affairs when they deem advisable and that the county commissioners and the county treasurer shall pay for the same from any county ordinary fund on hand in an amount to be determined by those authorizing the audit.

(b) That the withholding tax and insurance premiums collected through the county commissioner's office, including county officials and employees, may be paid by the commissioners from ordinary county funds, provided this amount shall be equivalent to the withholding tax and insurance premiums deducted from the salary of each official and employee of the county.

(c) That the county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure the amount herein provided for each item; and for any excess allowed or permitted, such officers shall be held liable on their official bond. It shall be unlawful for any county commissioner or commissioners or other officers of county government to purchase, bargain for, or contract for any materials or services which would create a deficit in any item or provisions hereof within the time covered by this act.

(d) The clerk of the county board of commissioners shall make quarterly statements of expenditures and balances of the different items and send a statement to each member of the board of commissioners and to each member of the legislative delegation.

(e) The county treasurer is hereby authorized and directed to publish in the county newspapers a statement reflecting the financial condition of Lexington County as of December 31, 1962, and June 30, 1963.

(f) The county treasurer and county board of commissioners are hereby authorized to borrow a sum of money not to exceed one hundred thousand dollars, if so much be necessary, to meet the appropriations herein made should such be necessary for lack of funds arising from revenue now in sight. The same shall be borrowed at the best obtainable rate and terms.

SECTION 4. All appropriations herein made are subject to the right and authority of the legislative delegation in the General Assembly to alter, increase, deduct therefrom, or transfer funds from one account to another at any time without notice when, in their judgment, such alterations, increases, deductions or transfers are necessary for the best interests of the county and to conform with the revenue expected during the life of this act. All funds provided for herein which are not expended by June 30, 1963, shall revert to the county ordinary account. *Provided*, that all active members of the National Guard Companies of West Columbia and Batesburg-Leesville and Lexington shall be exempt from payment of road tax in Lexington County during the fiscal year.

SECTION 5. All county public buildings shall be under the control and custody of the Lexington County Board of Commissioners. Salaries of all chaingang employees shall be under the control of the Lexington County Board of Commissioners.

SECTION 6. The Lexington County Board of Commissioners is hereby authorized and directed to pay out of the ordinary county funds of Lexington County a sufficient sum or sums to match other available funds for the retirement of all county officials or employees as is now provided by law under the Retirement Act and the Social Security Act.

SECTION 7. All expenditures and transfers of funds by the county commissioners and the county treasurer, as heretofore authorized by the Legislative Delegation in the General Assembly from Lexington County, are hereby validated and approved for the past and present fiscal year.

SECTION 8. In the event of the death or resignation of any county official, or the death, resignation or discharge of any county em-

ployee, the appropriations herein made to that particular county official as salary or to that particular county employee as salary, shall, immediately upon such death, resignation or discharge, be transferred to the miscellaneous contingent fund and a new salary schedule shall be provided from the miscellaneous contingent fund, not to exceed the amount herein appropriated for such official or salary of county employees, by a majority of the Lexington County Legislative Delegation.

SECTION 9. (a) There is hereby established in Lexington County the office of County Purchasing Agent who shall be responsible for the purchase of all items as needed and necessary for the operation of county business. All items purchased by funds appropriated hereunder shall first be requisitioned by the several departments from the County Purchasing Agent on the forms to be supplied to the several departments by the County Purchasing Agent.

(b) No expenditures in excess of one hundred dollars for the purchase of any equipment, materials or supplies shall be made, unless through regular contractual services, unless first let by sealed bid after advertisement in a county newspaper of general circulation (except parts needed for repairing equipment), and all things being equal, the purchase shall be made from the person, firm or corporation submitting the low bid. *Provided*, further, that all things being equal, all purchases for and in behalf of the county shall be made from Lexington County firms and businesses.

SECTION 10. All gasoline, motor fuels, oils, and lubricants purchased by and through and used by the Sheriff's office and Board of Commissioners shall be done only after advertising and receiving bids for the same to be supplied to the several offices on a quarterly basis.

SECTION 11. The Juvenile and Domestic Relations Court of Lexington County shall charge three per cent of all monies collected and disbursed by the court to be accounted and deposited with the Lexington County Treasurer monthly.

SECTION 12. The Lexington County Auditor is authorized from year to year to assess the necessary millage on all taxable property in Lexington County for the purpose of establishing a note retirement account and that the millage so determined shall be set aside for retirement of note indebtedness of Lexington County, and the said Auditor shall reduce the said millage as he deems necessary to meet the note indebtedness on an annual basis.

SECTION 13. All acts or parts of acts inconsistent herewith are repealed.

SECTION 14. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1230, H2586)

No. 1160

A Joint Resolution To Provide For A Referendum In Lexington County To Determine The Wishes Of The Qualified Electors In Regard To The Establishment Of A County Hospital, Sixty-Six And Two-Thirds Per Cent Of The Cost Of Which Shall Be Borne By The Federal Government.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington County—referendum on construction of hospital.—The Commissioners of Election of Lexington County shall cause to be submitted to the qualified electors of the county at the first general election to be held in 1962 the following question: "Do you favor the construction of a county hospital in Lexington County, sixty-six and two-thirds per cent of the cost of which shall be borne by the Federal Government?"

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1237, H2747)

No. 1161

An Act Authorizing The Governing Body Of Lexington County To Convey Certain Property To The Richland-Lexington Airport District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington County to convey property to Richland-Lexington Airport District.—The Governing Body of Lexington County is authorized to convey so much of that property of Lexington

County shown on the plat of property surveyed for Richland-Lexington Airport District dated November 20, 1961, and recorded in the office of the Clerk of Court for Lexington County in Plat Book 62-G at page 9 to the Richland-Lexington Airport District, as may be approved by the Senator and a majority of the Lexington County Legislative Delegation.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1096, H2574)

No. 1162

An Act To Authorize The Board Of Trustees Of School District No. 4 Of Marion County To Borrow Not Exceeding Seventy-One Thousand Dollars For School Purposes And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Marion County School District 4 may borrow money—notes—execution—interest.—The Board of Trustees of School District No. 4 and the Treasurer of Marion County are authorized to borrow, for school purposes, not exceeding seventy-one thousand dollars from the Division of Sinking Funds and Property, subject to the approval of the Budget and Control Board. The amount borrowed shall be evidenced by a note or notes executed by the chairman of the board and the Treasurer of Marion County and shall bear interest not to exceed four per cent per annum. The principal and interest shall be payable in five successive equal annual installments. The borrower reserves the right to anticipate the payment or part or all of any such loan on any annual installment date.

SECTION 2. Payment—credit of county pledged.—For the payment of the note or notes the Auditor of Marion County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the school district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1271, H2609)

No. 1163

An Act To Make Appropriations For Ordinary County Purposes For Marion County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963; To Provide For The Expenditure Thereof; To Authorize The Proper Officers Of The County To Borrow Money To Meet Such Appropriations, And To Provide For The Levy Of Such Taxes As May Be Necessary To Raise The Required Amount, Taking Into Account Other Revenues Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. After first deducting the estimated or anticipated revenues, a tax is hereby levied for the calendar year 1962 upon the taxable property of Marion County for county purposes, for the fiscal year beginning July 1, 1962, and ending June 30, 1963, in the amount and for the purposes hereinafter stated.

SECTION 2. For the purposes stated in this act, a levy of seven mills, if so much be needed, is hereby made upon the taxable property of the county for the calendar year 1962 to be expended, or so much thereof as may be necessary, for the fiscal year beginning July 1, 1962, and ending June 30, 1963, as hereinafter set forth; *provided*, however, that the county auditor is hereby directed to make a calculation of the amount of the levy that will be necessary to raise the

sums appropriated in this act, first taking into account the probable income from all other sources, and if it is found that seven mills is not sufficient to raise the funds herein appropriated, or that the levy is more than sufficient for the purposes herein, then in either event, he is directed to notify the legislative delegation, a majority of whom, may raise or lower the levy; and he is authorized and directed to impose in due time such levy upon the property of the county as will raise the sums of money necessary under this act. *Provided*, further, that the levy shall be made only upon the written approval of a majority of the legislative delegation.

SECTION 3. The following amounts are hereby appropriated for the County of Marion for the fiscal year beginning July 1, 1962, and ending June 30, 1963, for the following purposes, and the salaries of the officers and employees are fixed as hereinafter stated:

Item 1. Salaries:

A. Clerk of Court	\$ 1,250.00
B. Sheriff	4,000.00
B-1. Four Deputy Sheriffs @ \$2,860.00 each	11,440.00
<i>Provided</i> , that the Sheriff may designate one of the Deputy Sheriffs as "Chief Deputy" to be left in charge in the absence or incapacity of the Sheriff, and the Chief Deputy shall draw an additional salary of	
	180.00
B-3. Investigating fund to be used by Marion County Sheriff	600.00
B-4. Travel and other expenses, Sheriff and four Deputies @ \$2,000.00 each	10,000.00
B-5. Gas and oil—Sheriff's office \$205.00 per month	2,460.00
<i>Provided</i> , that this sum shall be paid monthly to the Sheriff for division between his deputies and himself at the rate of \$41.00 per month for each deputy and himself for gas and oil.	
B-6. Steno-Clerk and radio dispatcher for Sheriff's office	2,300.00
<i>Provided</i> , however, that the steno-clerk and radio dispatcher herein provided for shall be required to take all the testimony at coroner's inquests as part of his or her regular duties and without additional compensation.	

C. Jailor	2,500.00
D. Magistrate at Marion	2,250.00
D-1. Rent—Magistrate at Marion	180.00
E. Magistrate at Mullins	2,250.00
F. Magistrate at Centenary-Rains	650.00
F-1. Magistrate's Constable at Centenary-Rains	1,850.00
G. Magistrate at Britton's Neck Township	650.00
G-1. Magistrate's Constable at Britton's Neck Town- ship	1,850.00
H. Magistrate at Nichols	650.00
H-1. Rent—Magistrate at Nichols	180.00
I. Treasurer	1,300.00
J. Incidental Expenses—Treasurer	700.00
K. Assistant Treasurer	3,000.00
<i>Provided, that the Treasurer of Marion County is authorized to continue the employment of Mrs. Clara Allen regardless of retirement age.</i>	
L. Auditor	1,300.00
M. Deputy Auditor	3,000.00
N. Travel and Other Expenses—Auditor	700.00
N-1. Extra Clerical Help, Auditor	900.00
O. Coroner	1,000.00
O-1. Travel and other expenses—Coroner	500.00
P. Chairman of County Board of Commissioners ..	4,300.00
Q. Travel and other expenses of Chairman of Coun- ty Board of Commissioners	1,700.00
R. Six County Commissioners @ \$400.00 each for travel and official expenses	2,400.00
S. One Clerk to Commissioners	2,500.00
T. Tax Collector	1,200.00
U. Clerk and Stenographer for Tax Collector	2,300.00
V. Superintendent of Education, Travel and Inci- dentals	850.00

TOTAL ITEM 1\$ 72,890.00

Item 2. County Board:

A. Board of Education—Seven members @ \$300- .00 each for travel and official expenses	\$ 2,100.00
B. One Clerk to Superintendent of Education	2,400.00

C. Board of Equalization	2,000.00
TOTAL ITEM 2	\$ 6,500.00
Item 3. Post Mortems and Lunacies	\$ 400.00
TOTAL ITEM 3	\$ 400.00
Item 4. Welfare Department:	
A. Emergency Relief	\$ 3,000.00
B. Charity Hospitalization	3,000.00
C. Chairman—Public Welfare Board	300.00
D. Pauper Funerals	1,200.00
<i>Provided</i> , that no funds shall be paid to any hospital outside of Marion County unless there is a reciprocal agreement with such outside county. <i>Provided</i> , further, no hospital shall be compensated at a higher rate than ten dollars per day from county funds.	
<i>Provided</i> , further, that the Marion County Welfare Board shall make all necessary investigations. <i>Provided</i> , further that no hospitalization shall be paid in excess of ten days from county funds and there shall not be expended on any one case a greater sum than one hundred dollars. <i>Provided</i> , further, that when funds under Item B are exhausted the Marion County Welfare Board shall not approve for charity hospitalization further disbursement until additional funds become available.	
TOTAL ITEM 4	\$ 7,500.00
Item 5. Jurors and Witnesses	\$ 7,500.00
<i>Provided</i> , that witnesses shall receive two dollars per diem (jurors and court attaches shall receive per diem of six dollars).	
<i>Provided</i> , further, that jurors in Magistrates' Courts in criminal cases and jurors in Coroner's Court shall be paid two dollars per day upon warrants of the Magistrate, Coroner or Sheriff.	
TOTAL ITEM 5	\$ 7,500.00

Item 6. Public Buildings:

- A. Public Buildings, including lights, water,
grounds, office rent, etc. \$ 13,500.00
B. Improvements for county chain gang 15,000.00

TOTAL ITEM 6 \$ 28,500.00

Item 7. Vital Statistics—Travel and filing of certificates \$ 550.00

TOTAL ITEM 7 \$ 550.00

Item 8. Ordinary Contingent \$ 20,000.00

TOTAL ITEM 8 \$ 20,000.00Item 9. A. Roads, bridges, chain gang, maintenance,
dieting, clothing, medical and medicine for pris-
oners on chain gang \$ 30,000.00
*Provided, however, that the total amount of
gasoline tax allocated to Marion County be put
in this item.*

- B. Marion County Jail—water, lights, etc. for pris-
oners while in jail 6,500.00

TOTAL ITEM 9 \$ 36,500.00

Item 10. Salary for Clerk to Marion County Tuberculosis

- Association \$ 1,900.00
A. Travel Expenses for Tuberculosis Nurse 840.00

TOTAL ITEM 10 \$ 2,740.00

Item 11. Health Department \$ 9,603.00

- A. Transportation for Crippled Children 350.00
B. Medicine for T. B. Patients 200.00

TOTAL ITEM 11 \$ 10,153.00

Item 12. Libraries:

- A. Marion Library \$ 1,750.00
B. Mullins Library 1,750.00
C. Nichols Library 750.00
D. Traveling Library 1,500.00

TOTAL ITEM 12 \$ 5,750.00

Item 13. County Agent's Office:

A. County Agent	\$ 900.00
A-1. Two Assistant County Agents @ \$300.00 each	600.00
B. Clerk to County Agent	150.00
C. Postage and Office Supplies	400.00

TOTAL ITEM 13\$ 2,050.00

Item 14. Home Demonstration Agent's Office:

A. Clerk—Salary Supplement	\$ 420.00
B. Supplies and Incidentals	200.00
C. Telephone	150.00
D. Home Demonstration Agent, Salary Supplement	240.00
E. Assistant Home Demonstration Agent, Salary Supplement	150.00

TOTAL ITEM 14\$ 1,160.00

Item 15. Boys' and Girls' 4-H Club Work\$ 300.00

TOTAL ITEM 15\$ 300.00

Item 16. Negro Agricultural and Home Demonstration Agent's Office

A. Rent, fuel, telephone and other supplies and services	\$ 750.00
B. Clerical Personnel	1,980.00
<i>Provided, that the County Agent and Home Demonstration Agent shall employ the clerk or clerks.</i>	
C. Equipment and Supplies	300.00
D. Home Demonstration Agent—Travel and other expenses (Travel \$570.00—Salary \$570.00) ..	1,140.00
E. Equipment, Demonstration Materials and Supplies and Activities	250.00
F. Boys' 4-H Club Work and Supplies	150.00
G. Girls' 4-H Club Work and Supplies	150.00
H. Negro Agricultural Agent—Salary Supplement	300.00

TOTAL ITEM 16\$ 5,020.00

Item 17. Office of Judge of Probate\$ 2,400.00

TOTAL ITEM 17\$ 2,400.00

Item 18. Marion Soil Conservation District\$ 600.00

TOTAL ITEM 18\$ 600.00

Item 19. Marion County Planning and Development
Board:

A. Personnel Expense\$ 3,000.00

B. Travel Expense 3,000.00

C. Maps, Surveys, Site Work, Brochures and other
Services 1,000.00

TOTAL ITEM 19\$ 7,000.00

Item 20. Miscellaneous:

A. Britton's Neck Fire Dept.\$ 200.00

B. Marion Rural Fire Dept. 500.00

C. Mullins Rural Fire Dept. 500.00

D. Nichols Rural Fire Dept. 200.00

E. Marion National Guard 1,000.00

F. Mullins National Guard 1,000.00

G. Radio Repair for Radios and Insurance on
Radios 500.00

H. Official Bond Premiums 800.00

I. Printing and office supplies, stamps, and Box
Rent 5,000.00

J. Advertising—Tax Notices 600.00

K. Junior Homemakers Association 300.00

L. Marion Rescue Squad 1,000.00

M. Mullins Rescue Squad 1,000.00

N. County Civil Defense 1,200.00

O. Hospitalization Insurance for county employees 900.00

P. Secretary to Circuit Judge 500.00

Q. Salary and Equipment for third Game Warden 2,000.00

R. Court Stenographer Equipment 275.00

TOTAL ITEM 20\$ 17,475.00

GRAND TOTAL\$234,988.00

Less Estimated Revenues:

Magistrates' Fines\$ 30,000.00

-Alcoholic Tax 20,000.00

Gas Tax	65,000.00
Beer and Wine Tax	7,000.00
Fines and Forfeitures	10,000.00
Insurance Licenses	10,000.00
Bank Tax	5,000.00
Income Tax	30,000.00
Interest	1,400.00
Miscellaneous Revenue	5,000.00
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TOTAL	\$183,400.00
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AMOUNT TO BE RAISED BY
TAXATION\$ 51,588.00

SECTION 4. The board of county commissioners is hereby authorized to borrow, at such time or times, and upon such terms as it may prescribe, upon sealed competitive bids, after written notice to all banks in Marion County, a sum or sums not exceeding in the aggregate the amount hereinabove appropriated, pledging all taxes to be raised by virtue of the levy to be made hereunder and the full faith and credit of the county for such loan or loans. The chairman of the board of county commissioners and the county treasurer shall execute a note or notes for such loan or loans, which note or notes when so executed shall be a lien upon all taxes to be raised during the year 1962 for the levy to be made under this act; *provided*, that the monies hereinabove appropriated shall be used only for the purpose for which such appropriation is made and for no other purpose or purposes and the board of county commissioners and the county treasurer are hereby expressly forbidden to exceed directly or indirectly the appropriations herein made for any purpose whatsoever unless upon authorization of the county delegation; and *provided*, further, that all unexpended balances on appropriations for the period beginning July 1, 1961 and ending June 30, 1962, shall be added to the ordinary county funds hereinabove mentioned. *Provided*, that no funds of Marion County in excess of the sum protected by the Federal Deposit Insurance shall be deposited by an officer thereof in any bank or banks unless such bank or banks shall file with the county treasurer an indemnity bond in some approved surety company, or shall deposit with the county treasurer, United States, State, county, municipal, school district, Federal Land Bank Bonds, or other

bonds guaranteed by the United States, or county notes, to indemnify the County of Marion against any loss or damage which may arise by reason of such deposit, the indemnity to be not less than the maximum amount so deposited less the sum protected by the Federal Deposit Insurance, the sufficiency of the indemnity or security hereinabove provided for to be determined and approved by the county treasurer and the chairman of the board of county commissioners in writing. In addition to borrowing such sum or sums as may be necessary to cover the provisions of this act, in case of an emergency, the Marion County Legislative Delegation to be the judges thereof, the board of county commissioners may, with written approval of the Marion County Legislative Delegation, borrow such additional funds as may be necessary to meet such emergency, pledging as security therefor, the full faith and credit of Marion County for the payment of any sum or sums so borrowed.

SECTION 5. From the effective date of this act fishing from the banks with hook and line only shall be permitted in the sanctuaries between Aerial's Cross Roads and Galivant's Ferry from sunrise to sunset on Wednesday and Saturday of each week.

SECTION 6. The amounts hereinbefore appropriated for salaries for officers and employees shall be in full for their compensation and they shall not receive allowances for travel or other expenses, except as herein provided, save and except postage, stationery and office supplies, which shall also be furnished each of the magistrates upon their written requisition to the board of county commissioners. No claim for mileage or travel for any purpose, shall be paid without claimant first securing the approval of the county board of commissioners before making such trip, and if such travel or mileage is authorized and approved, claimant shall be paid at the rate of seven cents per mile for actual distance traveled in the most direct route going to and returning from the place of destination. *Provided*, that the sheriff is required to use the facilities of the State whenever available for the purpose of returning prisoners to the county.

SECTION 7. The amount hereinabove appropriated for the hospitalization fund shall be paid by the county board of commissioners upon presentation to them of approved claims by the county board of welfare or its director. The county board of welfare, working in conjunction with the superintendent of the hospital, is hereby di-

rected to make a thorough study of the needs of every applicant for assistance from this fund. It shall work in conjunction with the superintendent of the hospital and in the investigation of any applicant for assistance from this fund, the records, files and information which the superintendent of the hospital may have concerning such applicant shall be assessible to the county board of welfare in order to determine whether or not such applicant is entitled to assistance hereunder, and likewise any files, records and information which the county board of public welfare may have concerning the applicant shall be accessible to the superintendent of the hospital. In the event the county board of public welfare and the superintendent of the hospital are unable to agree whether or not such applicant is entitled to assistance hereunder, then one disinterested member of the welfare board, after having studied the report or reports on such applicants, shall determine whether the applicant is entitled to assistance. In emergency cases, the county board of public welfare is directed to make an investigation of the applicant even though he or she may have already been admitted to the hospital or discharged therefrom, and if it is finally determined that such emergency case is entitled to assistance hereunder, the county board of public welfare is hereby directed to approve same.

SECTION 8. The board of county commissioners, with the approval of a majority of the legislative delegation, shall have authority to employ a county attorney and to pay for his services out of the Contingent Fund.

SECTION 9. The county board of commissioners through its chairman or clerk is hereby authorized and directed to issue a license to carnivals or other shows operating in Marion County. The license fee shall not exceed the sum of one hundred dollars per day, and the amount of the fee shall be recommended by the chairman of the county board of commissioners after he has made an investigation of the type of carnival or show concerned and the type and kind of its activities. *Provided*, that this section shall not apply to carnivals or shows contracting with the Marion County Fair Association.

Provided, further, that a majority of the county board of commissioners may, in their discretion, waive this section when such carnivals or shows are sponsored by a local civic organization.

Provided, however, that the Marion County Venereal Disease Inspector shall have authority to require any carnival, fair or show

employee to submit to such tests for venereal diseases as is deemed necessary or desirable by the Marion County Venereal Disease Inspector and he shall have authority to arrest and imprison any person refusing to submit to a required venereal disease test.

SECTION 10. The appropriation made for the Health Department is conditioned upon the filing of a monthly statement in writing with the board of county commissioners and the legislative delegation showing in detail the travel and activities of the county health department in the county.

The twelve hundred dollars appropriated to the Marion County Tuberculosis Association shall be expended under the joint direction of the association and the tuberculosis nurse.

SECTION 11. The item of two thousand one hundred dollars appropriated for the County Board of Education shall be expended as follows: three hundred dollars per year to be paid to each of the seven members of the board for travel and official expenses.

SECTION 12. The auditor shall call the local board of assessors together before beginning their work and shall instruct them that in all cases where a taxpayer is dead, or has removed, or is unknown to any of them, it shall be their duty to make a list of such and at the conclusion of their work to turn such list over to the tax collector. The tax collector shall be required to make a personal visit to the territory in which such taxpayer is last listed, and if after a careful investigation he is of the opinion that the person is dead or cannot be found, then same can be nulla bona by the proper authorities and he shall be required to go into this clarification of the tax list immediately after the local boards finish their work and at the end of three months make a report of such work to the county commissioners and the delegation and submit a copy of same to the treasurer. He shall further be required to turn over to the treasurer on the first of each month all money collected by his office the preceding month.

SECTION 13. The Tax Collector of Marion County shall receive two dollars execution fee on all taxes so collected by him. The tax collector upon collecting such taxes shall turn all costs and fees over to the county treasurer and take receipts therefor, and at the end of each month thereafter, the county treasurer is authorized and directed to pay over to the tax collector two dollars on each execution fee so collected by him.

SECTION 14. The fifteen hundred dollar item appropriated for the Board of Equalization shall be distributed in the following manner: each member of the board shall be paid seven dollars and fifty cents per day while attending his official duties as such, plus seven cents per mile for mileage.

SECTION 15. The sheriff of the county shall designate one or more of his deputies to have his headquarters in the Town of Mullins, and the deputy so designated shall maintain his headquarters in the town, and shall serve as constable for the Magistrate in Mullins and Nichols.

SECTION 16. All gas, oil and equipment shall be purchased by competitive bid, and also all other supplies where practicable.

SECTION 17. All county officers of Marion County, if they so desire, are authorized to close their respective offices at five o'clock P. M. All county officers and employees shall be entitled to a half day holiday each week in addition to Sundays and State holidays now being observed, a schedule for such half day holidays to be arranged by the head of each department; *provided*, however, that deputy sheriffs shall not be entitled to a half day holiday during the tobacco season except when the same shall be expressly authorized by the sheriff.

SECTION 18. In order to facilitate the preparing of the county appropriations act by the legislative delegation, the county treasurer shall on or before the first day of February each year, in writing, report to the legislative delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source of the funds. He shall further report the disbursements made by him during the preceding calendar year showing the amounts disbursed on vouchers by the respective boards of the county, certificates or warrants of the clerk of court, and interest and principal paid on bonds.

The Superintendent of Education of Marion County shall on or before the first day of February of each year, report to the legislative delegation, in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by him for school purposes for the preceding fiscal year. He shall also furnish to the legislative delegation on or before February first of each year an estimate of all anticipated revenues

for the present school fiscal year, and an estimate of all disbursements for the present school fiscal year. He shall also furnish to the legislative delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school fiscal year.

SECTION 19. In each of the respective school districts of Marion County, there are created four scholarships for those deserving boys and girls who desire to attend college and need financial assistance to do so. Each scholarship shall be of the value of two hundred dollars. The scholarships shall be awarded upon the recommendation of the County Board of Education for Marion County by and with the consent of a majority of the legislative delegation. The scholarships shall be awarded to the most worthy and needy students, who shall meet such requirements as the county board may prescribe. These scholarships shall be paid from surplus funds accruing to the department of education. *Provided*, however, that in School Districts 3 and 4 there shall be only two scholarships in each district.

SECTION 20. All appropriations herein made and all services thereby provided shall be expended and used only and solely for public purposes as required by law and the use of any county personnel, equipment or labor for private profit and benefit is strictly forbidden. Any officer or employee violating the provisions hereof shall be discharged or removed from employment or office. All authorizations that have been granted and issued by the Marion County Legislative Delegation that have not expired by the terms, conditions and limitations thereof, shall expire and terminate on June 30, 1962.

SECTION 21. All appropriations herein made are subject to the right and authority of the Marion County Delegation to change, alter, increase, deduct therefrom, or transfer funds from one account to another, at any time without notice, when in its judgment such change, alteration, transfer, increase or deduction is necessary for the best interest of the county and to conform with revenue expected during the life of this act.

SECTION 22. The magistrates' constables hereinabove mentioned shall be appointed by their respective magistrates, and they shall be subject to removal by the same authorities at any time without the preference of charges. They shall have full rural police powers throughout the county. They shall regularly patrol their respective

territories, and faithfully devote their time and effort to the preservation of peace, good order and detection of and prevention of crime therein. *Provided*, however, that the magistrates' constables shall aid and assist the sheriff's office in investigating any and all crimes and the enforcement of law in Marion County. For that purpose they shall be subject to the call of the sheriff of the county at all times, and, when so called, they shall work in cooperation with the sheriff and under his direction and supervision. Any constable who fails or refuses to faithfully and officially discharge the duties in this respect, shall be deemed guilty of official misconduct and be forthwith removed from office.

SECTION 23. Notwithstanding any provision herein or any act heretofore passed to the contrary, no change, alteration, transfer, increase or deduction in this appropriation act shall be made, save and except upon the recommendation of the legislative delegation or a majority thereof.

SECTION 24. The Marion County Airport shall be under the jurisdiction of the Marion County Board of Commissioners.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R697, S459)

No. 1164

An Act Authorizing The Marlboro County Board Of Highway Commissioners To Sell And Convey The Marlboro Airport Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Marlboro County may sell airport property.—The Marlboro County Board of Highway Commissioners may sell and convey that property of Marlboro County lying three and one-half miles from the City of Bennettsville on the west side of South Carolina Highway No. 9 consisting of three hundred seventy-seven and fifty-seven hundredths acres, more or less, and known as the Marlboro Airport Property or Palmer Field. The deed to the property shall be signed by the chairman of the Marlboro County Board of Highway Commissioners and attested to by the clerk of the board.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R853, S580)

No. 1165

An Act To Authorize the State Highway Department To Construct Two Roads In Marlboro County And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Highway Department to construct two roads in Marlboro County.—The State Highway Department is hereby authorized to add to the State highway system and to construct the two roads in Marlboro County described as follows:

A road from Route 9 approximately 1800 feet south of Road S-47 westerly 3000 feet;

A road beginning at a paved county road known as the Palmer Airfield Road and extending southerly to an existing dirt road approximately 2800 feet.

SECTION 2. Cost of.—The cost of constructing the roads provided for in this act shall be charged to the secondary highway funds accruing to Marlboro County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R854, S593)

No. 1166

An Act Authorizing The South Carolina State Highway Department To Remove A Certain Road In Marlboro County From The State Highway System.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Road in Marlboro County to be removed from highway system.—The South Carolina State Highway Department is hereby authorized to remove from its system the following sections of road in Marlboro County:

All of the sections of Road S-35-355 lying west of Station 14 + 50 as shown on the construction plans for this road under Docket 35.366, including all loops and spurs.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R1100, H2579)

No. 1167

A Joint Resolution To Extend The Open Season For The Taking Of Shad In Marlboro And Chesterfield Counties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Shad season in Marlboro and Chesterfield Counties extended.—Notwithstanding any other provision of law to the contrary the open season for the taking of shad from the Pee Dee River in Marlboro and Chesterfield Counties is extended to June 1, 1962.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1222, H2457)

No. 1168

An Act Relating To The Fiscal Affairs Of Marlboro County And The School Districts Thereof, To Provide A Levy Of Taxes For County Purposes For The Fiscal Year Beginning July 1, 1962, And For The Expenditure Thereof, And To Make Provisions For The Due Payment Of Existing Indebtedness Of Marlboro County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following amounts are appropriated from the general fund of Marlboro County for the purposes herein stated :

Item 1. Law Enforcement and Administration of Justice:

(A) Sheriff's Office:

Salaries:

Sheriff	\$ 5,840.00
Clerical Assistant	3,300.00
Deputy Sheriffs (2 jailors)	5,280.00
Cook (jail)	780.00
Rural Policemen and Deputy Sheriffs (6) ..	26,500.00

Miscellaneous:

Contingent Fund, Uniform Fund and Radio Fund	1,500.00
Dieting Prisoners	6,000.00
Medical Expense (jail)	500.00
Servicing Law Enforcement Vehicles (6)	9,000.00
Post Mortems, Inquests and Lunacy	1,200.00

(B) Judiciary:

County Judge	4,800.00
Attorney, to be appointed by County Delegation	1,200.00

Magistrates:

McColl	1,200.00
Office Rent, McColl Magistrate	200.00
Office Rent, Blenheim Magistrate	200.00
Bennettsville	2,100.00
Clio	660.00
Brightsville	480.00
Blenheim	600.00
Wallace	480.00
Brownsville	480.00

Provided, it shall be the duty of the Board of Commissioners to audit the Magistrate's books monthly and see that all fines have been turned over to Treasurer before pay warrants are drawn. Bailiffs, Witnesses, Court Attaches to be paid four dollars per day; Jurors and Grand Jurors eight dollars per day and mileage 6,000.00

Total, Item 1 \$ 78,300.00

Item 2. Supervisor's Office:

(A) Salaries:

Supervisor	\$ 7,500.00
Clerk of County Highway Commissioners	3,960.00

(B) Roads, Bridges, Maintenance and Convicts	86,000.00
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Total, Item 2	\$ 97,460.00
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Item 3. Courthouse Officials, Courthouse, Public Buildings, Insurance and Office Supplies:

(A) Salaries:

Treasurer	\$ 3,500.00
Assistant to Treasurer	2,700.00
Clerk of Court	1,620.00
Assistant to Clerk of Court	3,000.00
Second Assistant to Clerk of Court	3,000.00
Auditor	3,500.00
Assistant to Auditor	3,360.00
County Service Officer	2,100.00
Assistant County Service Officer	1,944.00
Clerk—Judge of Probate	120.00
Coroner	1,920.00
Supplement to Game Warden Salaries	1,500.00
Part-time Secretary for Soil Conservation Office	1,000.00
Assistant to County Agent	240.00

(B) Supplies:

Janitor, Courthouse	2,860.00
Workmen's Compensation Premium	600.00
Social Security	3,500.00
Water, lights, fuel, repairs and insurance	18,000.00
Printing, Postage and Stationery	8,500.00
Audit of County Books	2,000.00
For retirement of County Officers, if so much be necessary	4,000.00

Total, Item 3	\$ 68,964.00
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Item 4. Public Health, Charities and Social Welfare:

Sanitary Officer	\$ 300.00
Health Department	10,505.00

Provided, \$1,455.00 of this appropriation shall be used in conjunction with State funds to pro-

vide ten per cent salary increases for staff members of Health Department.

Marlboro County General Hospital to supplement charity aid from Duke Foundation	11,500.00
Marlboro Tuberculosis Association	1,450.00
Library Association	8,920.00
Home and Recreational Center for Aged Negroes of Marlboro County	750.00
Marlboro County U. D. C.	15.00
Battery A 296th Field Artillery	1,000.00
201st Medical Battalion	1,000.00
Mileage for Child Welfare Work	1,300.00
Salary, Director, Public Welfare	600.00
Public Welfare Department	5,840.00
Telephone Expenses for Welfare Dept.	600.00

Total, Item 4. \$ 43,780.00

Item 5. Marlboro County Agricultural and Development Board:

(A) Salaries:	
Executive Director	\$ 8,500.00
Secretary	3,120.00
(B) Miscellaneous:	
Auto Expense (Director)	500.00
General Economic Development Fund	2,500.00
Publication, Directories, Professional Dues and Services	550.00
(C) Office Supplies and Telephone:	
Supplies	550.00
Telephone	750.00

Total, Item 5 \$ 16,470.00

Item 6. Miscellaneous Contingent:

Bonds, County Officers	\$ 1,500.00
Demonstration Supplies for Home Agents	125.00
Boys' 4-H Clubs	100.00
Girls' 4-H Clubs	100.00
Negro Boys' 4-H Clubs	100.00
Negro Girls' 4-H Clubs	100.00
County Agent	600.00

Assistant County Agent	300.00
Salaries of Prison Camp Preachers	480.00
Marlboro County Cancer Unit Fund	300.00

Total, Item 6	\$ 3,705.00
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GRAND TOTAL of all Expenditures	\$308,679.00
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Estimated Revenue:

State Sources:

Gasoline Tax	\$ 85,000.00
Income Tax	60,000.00
Alcoholic Liquors Tax	25,000.00
Beer and Wine Tax	7,000.00
Bank Tax	3,000.00

Total derived from State Appropriations herein	\$180,000.00
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County Sources:

15 Mills Property Tax and Executions	\$120,000.00
Court Fines and Magistrates' Collections	45,000.00
Marriage Fees	2,000.00

Total derived from County Sources for appro- priations herein	\$167,000.00
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GRAND TOTAL—Estimated Revenue	\$347,000.00
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All funds by this act provided for the Department of Public Welfare in Marlboro County shall be deposited in a bank to the credit of the Department of Public Welfare and disbursed by check signed by the county directors and countersigned by a member of the Board of Public Welfare, to be by the board designated. *Provided*, that the director's salary shall be paid by the county commissioner as is customary in the claims against the county.

SECTION 2. The Board of County Highway Commissioners and all other officers of Marlboro County are requested and directed to be economical in the expenditure of all public funds, and to keep the expense below the appropriations when practicable and consistent with public requirements, and no unused appropriated fund shall be carried forward for the particular use in the succeeding year but shall be transferred to the contingent fund provided for in this section. In no case shall the expenditure exceed the appropriation for any

purpose; *provided*, that out of the surplus contingent fund is to be paid all necessary expenses for which no specific appropriation was made herein, and for unavoidable expenses in excess of the appropriations for any purpose. All officers, agents and employees of Marlboro County shall contract no debt for any purpose, or expend any sums in excess of the appropriations in this act providing for such specific purpose, and for all violations thereof they, and their bondsmen, shall be jointly and severally liable. Any officer, agent, or employee shall be personally liable for any such debt contracted.

SECTION 3. All funds herein appropriated for Marlboro County Agricultural and Development Board shall be expended pursuant to the direction and authorization of the Board.

SECTION 4. The sheriff of the county shall have the right whenever he considers such necessary, to call in the county attorney to prosecute before any magistrate in any and all cases; the fee of the county attorney to be approved, and paid, by the county commissioners. The sheriff of the county shall also have the right to call in an attorney to prosecute cases in magistrates' courts for driving under the influence of whiskey.

SECTION 5. The sheriff of the county is hereby directed to so regulate the movement and activities of the rural policemen that all sections of the county shall enjoy the protection of the law without favor and without neglect.

The protection of all school property is hereby made a special mission of the sheriff and his force. He is particularly directed to so regulate the enforcement of the law as to protect school property from injury, theft and destruction; and to enforce the law against plowing in the roads. The contingent fund and uniform appropriation of one thousand five hundred dollars, hereinabove made, shall be expended by the Sheriff of Marlboro County for the enforcement of law and purchase of uniforms for county officers.

SECTION 6. The County Board of Highway Commissioners of Marlboro County is hereby declared to be the sole financial and purchasing agent of Marlboro County, and when any officer or board of the county desires new equipment or supplies, or replacement, or extraordinary service in connection with his or their office, or desires that any expenditure be made, or expense be incurred in regard to his or their office, whether specifically appropriated in this act or not, or desires to make any purchase or incur any expense, he shall

file his request for same, in writing, with the County Board of Highway Commissioners, who shall make such purchase in accordance with provisions herein made. No office or board shall have any authority to make contracts of purchase or incur other obligations in the name of the county except as authorized by law, and no contracts made except as herein provided, shall be valid to bind the county.

SECTION 7. The appropriation of eleven thousand five hundred dollars for the treatment in the Marlboro County General Hospital of deserving charity patients, whose condition demands hospital treatment, is made subject to the following conditions: That no deserving charity patient as above described shall be turned away as long as there are facilities and room in the hospital; that there shall be no charge for professional services to such patient, and no charge whatsoever except the daily expense of sixteen dollars and fifty-eight cents per patient. *Provided*, that the funds shall be available for use of the Marlboro County General Hospital only upon itemized statements of the actual days spent in the hospital by charity patients, signed by each patient individually and certified by the hospital management, such statement being presented to the Board of County Commissioners at their regular monthly meetings. The Duke Foundation payment for charity work of one dollar per day is to be deducted from the amount of sixteen dollars and fifty-eight cents, leaving fifteen dollars and fifty-eight cents per charity patient to be paid by the county. These conditions and provisions are to be interpreted and enforced as meaning that when the Duke Endowment gives one dollar for charity work, the county will give fifteen dollars and fifty-eight cents, not to exceed in total amount the sum of fourteen thousand five hundred dollars for the year 1962-1963. County funds shall be available only to match in this way funds coming from the Duke Foundation for charity beds, and shall be paid only in cases approved as charity cases by the Duke Foundation. The Board of County Commissioners is authorized and directed to prepare and have printed for use by the patient and hospital management, forms and blanks for making the above-mentioned certified statements. *Provided*, further, that the charity patients herein referred to must be citizens of Marlboro County.

SECTION 8. The sheriff shall be allowed one dollar and twenty-five cents per day per prisoner for feeding prisoners, but no payment beyond the total sum of six thousand dollars is to be made.

SECTION 9. The janitor of the courthouse shall be hired by the supervisor.

SECTION 10. The County Commissioners shall receive as pay for their services the sum of ten dollars for each day actually engaged on official duty and mileage at the rate of seven cents per mile actually traveled. All are to be paid from the contingent fund.

SECTION 11. The sheriff's stenographer shall also be available and provide such services as may be necessary for the Magistrates and the Coroner of Marlboro County. The coroner is authorized and directed to have the stenographer take down stenographically all testimony at inquests held in the county; and at such inquests the coroner shall swear and examine every eyewitness. The stenographer shall make an original and one copy of the testimony taken at such inquest, and he or she shall sign and deliver the original to the coroner, and one copy to the solicitor.

SECTION 12. The sheriff is authorized to sell all materials, supplies or other property seized or confiscated by him or his officers, where not prohibited by law, and the proceeds shall be turned over to the sheriff's contingent fund to be used for ordinary purposes of his office.

SECTION 13. The Board of Commissioners shall publish once each month in some newspaper published in Marlboro County an itemized statement of all expenditures of county funds, contract for publishing the same to be let to the newspaper making the lowest bid.

SECTION 14. The County Supervisor shall be the executive head of the County Board of Highway Commissioners; but each member of the Board of County Highway Commissioners shall have equal authority and the board shall at each monthly meeting provide for and set out generally the work to be done the following month on the county road system.

SECTION 15. The County Commissioners are hereby authorized and empowered to borrow money for county purposes in anticipation of collection of taxes and to pledge such taxes when collected as well as the full faith and credit of Marlboro County for its repayment, upon the written approval of the Legislative Delegation. No amount shall be borrowed in excess of anticipated taxes.

SECTION 16. The funds appropriated and set aside in this act shall be used only for the purposes set forth herein. In the event funds are used for items for which they were not appropriated, all officers, agents or employees who take part in or have anything whatsoever to do with the transfer or use of such funds shall be deemed guilty of malfeasance in office and subject to removal at once by the Governor of the State of South Carolina, or by the proper officials of Marlboro County. Monies may be transferred from any account, item, or county fund to any other account, item or county fund upon the written direction and approval of the Legislative Delegation.

SECTION 17. The Board of Commissioners of Marlboro County shall have no authority to make donations for any purpose.

SECTION 18. At least fifteen hundred dollars of the eight thousand twenty dollars appropriated to Library Association in Item 4 hereof, shall only be used by such association for necessary expense in operating a circulating library over the county.

SECTION 19. In order to raise the funds herein appropriated or authorized to be spent, not provided otherwise by law, the county auditor is authorized and directed to levy ten mills upon all taxable property in Marlboro County.

SECTION 20. Any unexpended funds now in, or hereinafter due to, the Courthouse Fund shall be transferred by the Treasurer of Marlboro County to the County General Fund.

SECTION 21. Funds of the Marlboro County Hospital and Health Center Fund may be used only upon the written authorization of the Legislative Delegation from Marlboro County. All or any part of such fund may be so transferred to appropriations for Marlboro County Hospital, or for other uses of the hospital, as herein provided or otherwise.

SECTION 22. Repairs and service to sheriff's radios and radio equipment shall be paid out of the sheriff's contingent fund.

SECTION 23. All funds herein provided for Marlboro County Health Department may be used only upon written authorization of the Legislative Delegation from Marlboro County.

SECTION 24. The appropriation herein made for salaries for rural policemen and deputy sheriffs shall be allocated by and in the

discretion of the Sheriff of Marlboro County among the deputy sheriffs and rural policemen.

SECTION 25. All execution fees collected by the tax collector which have heretofore been payable to the Treasurer of Marlboro County as the Treasurer's fees for collection of delinquent taxes shall from the date of this act be payable to the Treasurer of Marlboro County as funds of the county and shall be deposited by the Treasurer of Marlboro County in the County General Fund. All commissions or fees collected by the Treasurer of Marlboro County for the sale of State documentary stamps shall be paid over to the General Fund of the County by the Treasurer. All fees heretofore paid to the Auditor of Marlboro County for any purpose whatsoever shall be paid over to the Treasurer of Marlboro County as county funds and shall be deposited by the Treasurer in the General Fund of the county. This act will in no way affect the execution fees due the estate of Bessie R. David, deceased, and the estate of L. K. Breeden, deceased, on delinquent taxes that may hereafter be collected.

SECTION 26. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R692, H2053)

No. 1169

An Act To Provide For The Transfer Of Funds By McCormick County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. McCormick County to transfer funds.—The Treasurer of McCormick County is hereby authorized and directed to transfer the sum of twenty thousand dollars from the general fund of the county to the miscellaneous contingent fund.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R694, H2064)

No. 1170

An Act To Authorize The Property Board Of McCormick County To Borrow From The Division Of Sinking Funds And Property Of South Carolina The Sum Of Seventy-Nine Thousand Nine Hundred And Eight Dollars For The Purpose Of Paying For Certain Property Purchased By The Board, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Property Board of McCormick County may borrow money.—The Property Board of McCormick County is authorized to borrow the sum of seventy-nine thousand nine hundred and eight dollars from the Division of Sinking Funds and Property of South Carolina. The money so borrowed shall be used to pay for certain property purchased by the county from the Federal Government for industrial sites.

SECTION 2. Notes — execution — interest — payment. — The money borrowed by authority of this act shall be evidenced by notes made and executed by the Property Board and signed by the chairman. The money shall be paid within a period of not exceeding five years, at a rate of interest not to exceed four per cent. Immediately upon the execution and delivery of the notes, the chairman of the Property Board shall notify the auditor and the treasurer of the county of the issuance of the notes, method of payment, and interest rate. The auditor shall levy and the treasurer shall collect an annual tax on the property of the county sufficient to meet the annual payments and interest on the notes. The annual tax authorized by this act shall be only so much as is necessary for the purpose authorized herein, and, after all notes with interest are paid, the tax shall no longer be levied.

SECTION 3. Time effective.—This act shall become effective upon approval by the Governor.

Approved the 26th day of January, 1962.

(R845, H2351)

No. 1171**An Act Transferring Twenty-Five Thousand Dollars From The General Fund of McCormick County To The Miscellaneous And Contingent Fund.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. McCormick County to transfer funds.—The Treasurer of McCormick County is directed to transfer twenty-five thousand dollars from the General Fund of McCormick County to the Miscellaneous and Contingent Fund.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R1075, H2539)

No. 1172**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes For McCormick County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, And Providing For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following appropriations are made for McCormick County for a period of one year, beginning July 1, 1962, and ending June 30, 1963.

Item A. For the construction and maintenance of county roads, bridges, dieting, clothing and maintenance of chain gang prisoners. Also salary for two overseers or guards\$ 23,000.00
Provided, that the supervisor or county board of commissioners shall employ no other help than provided for herein unless authorized by the county delegation.
Office Clerk 2,420.00

Total, Item A\$ 25,420.00

Item B. Salaries:

Clerk of Court	\$ 3,993.00
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Provided, however, that the clerk of court shall comply with Act No. 770 passed by the Legislature of South Carolina in 1936 and carried in the Acts of 1936 at pages 1449 and 1450 before he shall be entitled to such salary.

Clerk to clerk of court	2,420.00
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Treasurer	847.00
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Clerk to Treasurer	2,420.00
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Auditor	847.00
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Clerk to Auditor (12 Mos.)	2,420.00
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Coroner	399.30
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County Physician	133.10
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Janitor at courthouse	1,452.00
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Two county commissioners at \$399.30 each	798.60
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Judge of Probate	1,996.50
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County Attorney	399.30
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Magistrate at McCormick	1,996.50
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Magistrate at Willington	907.50
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Magistrate at Parksville	907.50
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Janitor, McCormick County Office Building ...	1,452.00
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Sheriff, salary	3,267.00
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Sheriff, expense fund	500.00
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Provided, the amount to be paid in equal monthly payments without the necessity of itemizing the same.

Two deputy sheriffs, salary each \$2,970.00	5,940.00
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Two deputy sheriffs, expense fund \$797.00 each	1,594.00
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Provided, the amount to be paid in equal monthly payments without the necessity of itemizing the same.

Provided, that the sheriff or his deputies shall serve warrants for the county magistrates and one of the deputies, to be designated by the sheriff, shall also serve as magistrates' constable.

Travel expenses and maintenance of automobiles for sheriff's office, if so much be necessary	2,400.00
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Supervisor, salary and traveling expenses for supervisor who shall furnish his own car, the amount to be paid in equal monthly payments without the necessity of itemizing same	4,082.00
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	Tax Collector	1,815.00
	Tax collector's expenses, who shall furnish his own car, to be paid in equal monthly payments.	1,381.50
	Total, Item B	\$ 44,368.80
Item C.	County:	
	County board of equalization	\$ 750.00
	Vital statistics	150.00
	Total, Item C	\$ 900.00
Item D.	Jail expenses:	
	To include only the dieting of prisoners at \$1.25 per day, electric current and repairs, if so much be necessary	\$ 1,500.00
	<i>Provided</i> , records of prisoners' entrance and release shall be kept and such records shall be subject to annual audit.	
	Total, Item D	\$ 1,500.00
Item E.	Jurors and witnesses and court expenses:	
	<i>Provided</i> , that grand jurors and petit jurors shall be paid at the rate of seven dollars and fifty cents per day and mileage. <i>Provided</i> , further, that magistrates' and coroner's jurors shall be paid at the rate of one dollar and fifty cents per day upon the authorization of the magistrate or coroner	\$ 3,500.00
	<i>Provided</i> , further, the taking of testimony in magistrate's court and coroner's inquests shall be paid from this fund upon the authorization of the magistrate or coroner.	
	Total, Item E	\$ 3,500.00
Item F.	Post mortems, inquests, autopsies and lunacies, if so much be necessary	\$ 500.00
	Total, Item F	\$ 500.00
Item G.	Public buildings, including lights, fuel, water, telephones and other necessary supplies, other than constructing new or making repair of pub-	

lic buildings which shall be approved by the McCormick Building Commission, and cost shall be paid from such amount as the commission and county delegation shall designate	\$ 9,000.00
Total, Item G	\$ 9,000.00
Item H. Printing, postage, stationery and office supplies	\$ 2,000.00
Total, Item H	\$ 2,000.00
Item I. Annual audit to county books from June 30, 1961, to July 1, 1962, if so much be necessary	\$ 600.00
Total, Item I	\$ 600.00
Item J. Premiums on officers' bonds and workmen's compensation premiums, when such premiums are certified to and in order, if so much be necessary	\$ 1,000.00
Total, Item J	\$ 1,000.00
Item K. Miscellaneous contingent fund: To be expended only in case of emergency and only then upon the written approval of the legislative delegation	\$ 10,000.00
Total, Item K	\$ 10,000.00
Item L. County health unit, if so much be necessary	\$ 2,200.00
Total, Item L	\$ 2,200.00
Item M. Public Welfare <i>Provided</i> , such funds shall be kept separate to facilitate annual audit.	\$ 5,000.00
Total, Item M	\$ 5,000.00
Item N. Library board <i>Provided</i> , that this sum shall be paid upon the authorization of the secretary-treasurer of the library board.	\$ 1,200.00
Total, Item N	\$ 1,200.00

Item O. Police Insurance	\$ 3,000.00
Total, Item O	\$ 3,000.00
Item P. Retirement (County's part)	\$ 1,100.00
Total, Item P	\$ 1,100.00
Item Q. Social Security (County's part)	\$ 1,450.00
Total, Item Q	\$ 1,450.00
Item R. National Guard	\$ 500.00
Total, Item R	\$ 500.00
Item S. Soil Conservation	\$ 300.00
Total, Item S	\$ 300.00
Item T. County Board of Education	\$ 1,200.00
Total, Item T	\$ 1,200.00
Item U. Special Accounts:	
Farm Agent Account	\$ 50.00
Home Agent Account	50.00
Clerk to Home Agent Account	250.00
Custodian at County Office Building	435.60
McCormick County FFA Chapter	100.00
Total, Item U	\$ 885.60
GRAND TOTAL	\$115,624.40
Less revenue other than taxes:	
U. S. Forestry Service	\$ 35,000.00
Gas Tax	35,000.00
Other Revenues	45,624.40
Total estimated revenue	\$115,624.40

SECTION 1A. Should the estimated revenue be insufficient to meet the appropriations hereinabove made, the county treasurer shall transfer from the general funds of the county a sufficient amount to take care of any deficit.

SECTION 2. The various sums herein appropriated shall be used only for the purpose for which they are specifically appropriated and for no other. *Provided*, that transfers from one appropriation to another may be made upon the written approval of the legislative delegation. It shall be unlawful for any officers of the county to exceed any appropriation or to contract any obligation of indebtedness in excess of any appropriation herein provided for, except upon the written authority of the Legislative Delegation of McCormick County; and obligations incurred without the written authority shall not be binding upon McCormick County. Any officer violating the provisions of this section may be removed from office by the Governor, upon the recommendation of the legislative delegation, and his bond shall be liable for any expenditure or any debt incurred in excess of such appropriation should it be determined that the county is liable therefor.

SECTION 3. The supervisor shall file an itemized statement of all expenditures for the previous month with the clerk of court and an itemized statement of all expenditures shall be published quarterly in the County Gazette, and the same shall become a public record. The county board of commissioners is hereby required to deliver to the county treasurer at the conclusion of the year 1962 an itemized sworn statement of all unexpended balances from the various items hereinabove appropriated, which statement shall be filed by the treasurer with the clerk of court and become a public record. The county supervisor is hereby required to keep a separate account of all funds expended from the various sums appropriated for county purposes and shall issue no warrant in excess of such appropriations. *Provided*, that the county commissioners shall have equal authority in county matters with the supervisor.

SECTION 4. The auditor and treasurer are hereby authorized and required to levy and collect a sufficient tax, as provided by law, to raise sufficient money to meet and pay the amount appropriated by law for McCormick County for the year 1962. No money shall be spent otherwise than herein specifically authorized and none of the items shall be enlarged upon or construed as suggestive or directory, but are mandatory.

SECTION 5. No money shall be borrowed by the county nor interest paid on same for longer periods than the collection of taxes sufficient to pay the same makes it necessary, and no note in excess of the sum provided by law shall be made by the county commissioners

except upon the written authority of the county legislative delegation, which shall be filed with the clerk of court.

SECTION 6. The McCormick County Legislative Delegation is hereby authorized and empowered to pay to the members of the forestry committee or any other members of a committee authorized by legislation, meeting during the year 1962, the sum of five dollars per day from the contingent fund under Item K. *Provided*, however, that none of the committee shall be paid for more than twelve meetings during the fiscal year 1962-1963.

SECTION 7. The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing attorney as county attorney who shall render legal advice to any county officer of McCormick County when so requested by such officer regarding official matters pertaining to any duty of any officer of McCormick County, or as to the law pertaining to any matter connected with the administration of such office.

SECTION 8. The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing physician whose duties shall be to look after the health conditions of the county and attend any prisoner, either on the chain gang or in the county jail, and make such recommendation as he might think proper for the safeguarding of the prisoners of the communities of the county.

SECTION 8A. The county treasurer is hereby authorized and directed to pay from the general funds of the county the sum of ten thousand dollars, without interest, by February 1, 1963, such sum being the balance due on one Caterpillar No. 12 Motor Grader, purchased by the county supervisor, from Jeff Hunt Machinery Co., Columbia, S. C., upon the authorization of the McCormick County Legislative Delegation.

SECTION 9. The McCormick County Legislative Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by McCormick County. *Provided*, that no equipment owned by McCormick County shall be used for anything but county or public purposes.

SECTION 10. No property owned by McCormick County shall be sold, rented, or leased unless the approval of the legislative delegation shall be first secured.

SECTION 11. Unless otherwise specifically authorized herein, no bill or claim against McCormick County shall be approved or paid unless the same is fully itemized and states, under oath, what it is for, giving the kind and quality of thing or commodity it represents and carries the same number as the county voucher, in addition to the amount and the time furnished, and no person shall make oath to such itemized statement or claim for any other person.

SECTION 12. All expenditures over two hundred dollars for supplies and materials shall be purchased on competitive bids.

SECTION 13. No officer of McCormick County shall charge or collect any money for an expense account except as herein provided for.

SECTION 14. Any officer or employee of McCormick County who disregards the provisions of this act shall be guilty of misconduct in office and subject to removal in addition to the punishment now provided by law.

SECTION 15. The officials at the McCormick County Courthouse are hereby authorized to close their offices on one afternoon each week provided the majority of the merchants in the Town of McCormick close their place of business one afternoon each week, and the afternoons taken off by the courthouse officials shall be the same afternoon on which the business houses are closed. The officials of McCormick County are further authorized to close their offices on all legal State holidays.

SECTION 16. For the year 1962 the supervisor shall employ such help as necessary, other than that herein provided for, upon the written approval of the Legislative Delegation from McCormick County.

SECTION 17. Immediately upon receiving tax duplicates from the county auditor, the county treasurer shall cause to be mailed to each taxpayer listed thereon, whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the taxpayer for the current year, with such other information as the county treasurer may deem desirable. This service to the taxpayer being gratuitous, no obligation shall rest upon the county or State, or county treasurer, for any failure or mistake on the part of the county treasurer in giving or failing to give the notice.

SECTION 18. From the county board of education fund herein appropriated, all members of the county board, except the superintendent of education, shall be paid five dollars per day for each day in attendance upon meetings of the county board and mileage from the homes of the members each way at the rate of seven cents per mile. *Provided*, that the county board of education is hereby authorized to pay from this appropriation any clerical help or mileage necessary for the office of the superintendent of education as may be deemed necessary by the county board.

SECTION 19. Custodian of the McCormick County Office Building and grounds shall be designated by the McCormick County Legislative Delegation and shall approve all claims for expenses necessary for the operation of the county office building.

SECTION 20. On or before the first of June, the trustees of the McCormick County schools are hereby authorized and directed to furnish to the county board of education a budget for the operation and maintenance of the schools of the county for the year 1962-1963. On or before the first of July, the county board of education shall furnish the budget to the county auditor with such increases or decreases as may be deemed necessary. The county auditor is hereby authorized and directed to levy a sufficient number of mills on taxable property in McCormick County for such purposes with the approval and consent of the county legislative delegation. The county treasurer is hereby directed to collect the funds and place them in the school fund, and to disburse the funds as now prescribed by law.

SECTION 21. Any surplus funds of McCormick County may be invested by the county treasurer upon written approval of the county legislative delegation.

SECTION 22. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

An Act To Provide For The Levy Of Taxes For Newberry County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following amounts are hereby appropriated for the following purposes for the County of Newberry, for the fiscal year beginning July 1, 1962, and the salaries of officers and employees are fixed as hereinafter stated :

Item 1. For salaries of County Officers to be disbursed as follows :

Clerk of Court of Common Pleas and General Sessions and Register of Mesne Conveyance ..\$	5,437.80
Assistant	4,660.92
Clerical Help for Clerk of Court	2,718.84
Sheriff	5,826.12
Delinquent Tax Collector	4,660.92
Deputy Help for Tax Collector to be expended on authorization of Tax Collector	2,718.84
Jailor	3,377.04
Assistant Jailor	388.44
Senior Deputy Sheriff	4,895.40
Four Deputy Sheriffs	17,214.72
County Attorney	1,200.00
County Treasurer	2,796.48
Clerical Help for Treasurer	2,718.84
County Auditor	2,796.48
Clerical Help for Auditor	2,718.84
Joint Clerical Help for Auditor and Treasurer	2,718.84
Probate Judge	5,437.80
Clerical Help for Probate Judge	2,718.84
Coroner	1,460.40
County Supervisor	5,437.80
Two Commissioners @ \$1,553.64 each	3,107.28
Clerk of County Board	4,660.92
Clerical Help for Board of Commissioners	1,200.00
Assistant County Agent	1,020.00
County Agent	1,200.00

Provided, Clemson College Extension Service reimburses the Assistant County Agent of Newberry County to the amount of four hundred eighty dollars.

Magistrates as follows:

District No. 1, Whitmire	1,765.60
District No. 2, Newberry	4,237.20
Clerical Help	1,200.00
District No. 3, Prosperity	1,412.40
District No. 4, Pomaria	941.64
District No. 5, Chappels	941.64
District No. 6, Little Mountain	941.64

Constables:

District No. 1	3,107.28
District No. 2	3,107.28
District No. 3	1,056.52
District No. 4	807.96
District No. 5	1,305.12
District No. 6	761.28
Hostess for Community Hall	1,200.00
Keeper, Ladies' Rest Room	1,200.00
Keeper, Colored Rest Room	989.00
Newberry County Board of Registration	660.00

Provided, that the Sheriff be allowed the fees for dieting Federal and County Prisoners according to the dieting fees allowed by Federal and State authorities; and *provided*, further, that the treasurer is hereby authorized to pay all exchange charges by the banks on checks given in payment of taxes. *Provided*, further, that all monies received by the Treasurer from the State for the County Service Officer shall be paid to the Newberry County Service Officer as salary in twelve equal monthly instalments.

Total, Item 1\$118,726.12

Item 2. Supervisor's Office:

(a) Chain gang maintenance	\$ 27,428.00
(b) For repairs on public buildings, contingent expenses and supplies:	
(1) Telephone Service	3,900.00
(2) Water and Lights	3,200.00
(3) Fuel	3,800.00

(4) Insurance	2,200.00
(5) Repairs	4,000.00
(6) Janitor Supplies	1,000.00
(c) For Road Maintenance	67,940.00
<i>Provided, that any unexpended funds appropriated for this purpose for the fiscal year 1961-1962 shall be added to the funds hereby appropriated.</i>	
(d) For purchase of Truck, Repair of Equipment and Machinery, and Cement Pipe	6,000.00
(e) Miscellaneous Contingent Fund	15,000.00
<i>Provided, \$10,000.00 of the above sum shall be spent upon the approval of the Legislative Delegation and \$5,000.00 shall be spent upon the approval of the County Board of Commissioners.</i>	
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Total, Item 2	\$134,468.00
 Item 3. For books, stationery, postage, printing and re-binding books and records in the County Court-house, if so much be necessary	
	\$ 7,500.00
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Total, Item 3	\$ 7,500.00
 Item 4. Miscellaneous and Contingent Expenses to be applied as follows:	
Uniforms for four Deputy Sheriffs	\$ 750.00
For premiums on bonds of county officers, if so much be necessary	850.00
Travel, County Auditor	300.00
Welfare Worker, Travel Expense at nine cents per mile, if so much be necessary	600.00
Stenographer, Home Demonstration Agent's Office	918.60
Stenographer, County Agent's Office	480.00
Postage, Office Incidentals and Demonstration Material for:	
Home Demonstration Agent	150.00
County Agent	150.00
Boys' 4-H Club Work	75.00
Negro Boys' 4-H Club Work	75.00

Girls' 4-H Club Work	75.00
Negro Girls' 4-H Club Work	75.00
For Negro Home Demonstration Agent	1,070.40
Expenses, Negro Home Demonstration Agent ..	100.00
Clerical Help for Negro Home Demonstration Agent	1,620.00
Rent for colored Home Demonstration Agent and County Agent	320.00
Expenses, Negro County Agent	75.00
For printing in County newspaper, itemized quarterly reports of expenditures by the County Board of Commissioners	660.00
For Regional Library	8,600.00
Fuel, Whitmire Public Library	400.00
To S. C. Industrial Commission, Workmen's Compensation Act	3,500.00
To S. C. Retirement Fund and Insurance	7,680.00
Social Security	5,900.00
Emergency Relief	1,700.00
Newberry County Girl Scouts	75.00
Newberry County Boy Scouts	75.00
To County Treasurer for handling Documentary Stamps	300.00
For County Audit	1,500.00
County Health Work	7,000.00
For County Artificial Breeding Association	1,000.00
For the purpose of a new automobile and radio for Sheriff's office, if so much be necessary	2,000.00
Expenses of Service Officer	500.00
Travel for Coroner, payable \$25.00 monthly ...	300.00
Members, County Board of Public Welfare at \$121.00 each	363.00
For maintenance of car radios, for Sheriff's office at \$30.00 per month	360.00
For expenses of Clerk of Court in Handling Nonsupport Cases	300.00
Total, Item 4	\$ 49,897.00
Item 5. Board of Equalization and Board of Assessors ..	\$ 2,000.00
Total, Item 5	\$ 2,000.00

Item 6.	For expenses of Court of Common Pleas and General Sessions, if so much be necessary	\$ 6,500.00
	<i>Provided</i> , jurors and bailiffs shall be paid seven dollars and fifty cents per day.	
	Total, Item 6	\$ 6,500.00
Item 7.	For dieting prisoners @ ninety cents per day, if so much be necessary	\$ 5,500.00
	Total, Item 7	\$ 5,500.00
Item 8.	Post Mortems and Lunacy and Coroner's Inquest, if so much be necessary	\$ 900.00
	Total, Item 8	\$ 900.00
Item 9.	Company Maintenance Funds, National Guard Co. K, 218th Infantry, Whitmire	\$ 1,000.00
	Custodian, Newberry National Guard Armory	1,500.00
	Total, Item 9	\$ 2,500.00
Item 10.	Official Expense for Deputy Sheriffs to be paid in monthly installments of \$15.00 each	\$ 900.00
	Finger printing expense for Sheriff's office	300.00
	Total, Item 10	\$ 1,200.00
Item 11.	Board of Rural Fire Control, to be paid upon approval of a majority of said Board	\$ 5,000.00
	Total, Item 11	\$ 5,000.00
	GRAND TOTAL	\$334,191.12

SECTION 2. All salaries herein provided shall be for the fiscal year 1962-1963 and shall be paid monthly.

SECTION 3. All revenue and income accruing to the County of Newberry in 1962-1963 from other sources than from the taxes herein provided shall be used for meeting the appropriation herein made.

SECTION 4. The county auditor is hereby authorized, empowered, directed and required to levy upon all of the taxable property in the

County of Newberry for the year beginning July 1, 1962, after taking into consideration funds accruing to the county from the State and all other sources, a sufficient tax levy to raise a sufficient sum of money to pay interest on the county indebtedness and all appropriations made herein inclusively.

SECTION 5. A special levy of one mill for the year beginning July 1, 1962, is hereby levied and directed to be collected on all real and personal property of Newberry County returned for taxation, for the exclusive purpose of creating a fund for the Newberry County Hospital.

SECTION 6. The Newberry County Legislative Delegation is hereby vested with full power and authority to order an audit during the year 1962-1963 of any and all departments, offices and officers of Newberry County.

SECTION 7. The penalty of three per cent on delinquent taxes shall go to Newberry County; *provided*, however, that the delinquent tax collector of Newberry County and his authorized agents and deputies shall be entitled to the mileage actually traveled and allowed by law for one trip only to each delinquent.

SECTION 8. The Treasurer of Newberry County is hereby authorized and empowered to borrow such money as is necessary to meet the ordinary expenses of Newberry County.

SECTION 9. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1166, H2656)

No. 1174

An Act To Authorize And Empower The County Board Of Education Of Newberry County To Issue General Obligation Bonds Of The School District Of Newberry County In An Amount Not Exceeding One Hundred Twenty-Five Thousand Dollars; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that pursuant to the School Bond Act (Sections 21-971 et seq., Code of Laws of South Carolina, 1952, as amended), an election was held in The School District of Newberry County (hereinafter called the "School District"), on the 17th day of May, 1960, upon the question of the issuance of the principal amount of eight hundred forty-eight thousand dollars of bonds of the School District for the purpose of providing funds to enlarge, improve, equip and renovate school facilities throughout the School District, and that as a consequence of the favorable results of the election bonds of the School District were issued in the amount of eight hundred forty-eight thousand dollars to provide public school facilities in the School District. Notwithstanding this, the General Assembly takes note of the fact that an additional one hundred twenty-five thousand dollars are required to complete the program instituted by the County Board of Education of Newberry County (hereinafter called the "Board"). It has, therefore, determined to authorize the Board to issue additional bonds to the extent of one hundred twenty-five thousand dollars, without the necessity of holding an election as required by the School Bond Act, if on the particular occasion that the same are issued the applicable constitutional debt limitation shall not be exceeded.

SECTION 2. Newberry County Board of Education authorized to issue bonds.—For the purpose of completing the program instituted with the proceeds of the bonds issued by the Board on behalf of the School District as of February 1, 1961, and to thus provide additional public school facilities in the School District, the Board is hereby authorized and empowered to issue and sell general obligation bonds of the School District (without the necessity of holding any election), in an amount not to exceed one hundred twenty-five thousand dollars, either as a single issue, or from time to time as several separate issues, if on the particular occasion that the same are issued the applicable constitutional debt limitation shall not be exceeded.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the Board shall provide for, except that the first maturing bonds shall mature within three years from the date as of which they shall be issued; not less than

three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the Board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Newberry County, upon such conditions as the Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the Board.

SECTION 8. Execution.—The bonds and the coupons to be thereunto attached shall be executed in such manner as the Board shall by resolution prescribe.

SECTION 9. Sale—notice.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary

therefor, the full faith, credit and taxing power of The School District of Newberry County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Newberry County, and collected by the Treasurer of Newberry County, in the same manner as county taxes are levied and collected, on all taxable property in the School District, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 12. Use of proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Newberry County, to be deposited in a bond account fund for the School District, and shall be expended and made use of as follows:

- (a) Any accrued interest shall be applied to payment of the first instalment of interest to become due on such bonds.
- (b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.
- (c) The remaining proceeds shall be expended, upon the warrant or order of the Board, for the following purposes:
 - (i) To defray the costs of issuing the bonds authorized by this act;
 - (ii) To provide additional public school facilities for the School District in the manner contemplated by Section 2 of this act.
- (d) If, after the final completion of the Board's program, the Board shall certify to the Treasurer of Newberry County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the Treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers of Board.—The powers and authorizations hereby conferred upon the Board shall be in addition to all other powers and authorizations previously vested in the Board and may be availed of pursuant to action taken at any regular or special meeting of the Board.

SECTION 14. Powers—further.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the Board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R760, H2081)

No. 1175

An Act To Amend Section 2 Of Act No. 1096 Of The Acts Of 1960, Relating To The Members Of The East Seneca Water District Commission, So As To Provide For The Election, Rather Than Appointment, Of Subsequent Members.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2 of Act 1096 of 1960 amended—district to be managed by a commission—members—terms—vacancies.—Section 2 of Act No. 1096 of the Acts of 1960 is amended by striking out all of same, and inserting in lieu thereof the following:

“Section 2. Such district shall be operated, managed and governed by a commission to be known as ‘East Seneca Water District Commission.’ The commission shall consist of three resident electors of the district. The original three members shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation of Oconee County, including the Senator. The original appointments shall be for a term of two years for one appointee, for four years for the second appointee, and for six years for the third appointee. All of the terms shall begin on September 1, 1960, if the referendum herein provided is favorable. All subsequent members of the board, except those appointed to fill an unexpired term of an original appointee, shall be elected for terms of six years each. Such elections shall be held on the third Saturday in June immediately preceding the expiration date of the term being filled, and only electors resident in the district shall be eligible to vote therein. Any vacancy shall be filled for the unexpired term only by an election within the district, which shall be held by the Commissioners

of Election for Oconee County within three months of the occurrence of the vacancy. The notice and manner of elections pursuant to this section shall be the same as that required by law for the election of members of the Board of Trustees of School District No. 1 of Oconee County."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R761, H2097)

No. 1176

An Act To Validate Certain Permits And Easements Heretofore Executed By The Board Of Commissioners For Oconee County To The Oconee Soil Conservation District For The Consumption Of Their Watershed Protection And Flood Prevention Program In Oconee County, And To Authorize The Future Granting Of Such Permits And Easements.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain permits and easements granted to Oconee Soil Conservation District validated.—The following permits and easements, recorded in the office of the Clerk of Court for Oconee County, and all other permits or easements heretofore granted by the Board of Commissioners of Oconee County to the Oconee Soil Conservation District, are hereby validated and declared to be legal and binding in all respects.

- (1) Permit dated October 7, 1958 and recorded in Deed Book 7-R, page 32.
- (2) Permit dated April 6, 1960 and recorded in Deed Book 8-C, page 131.
- (3) Permit dated May 6, 1960 and recorded in Deed Book 8-D, page 44.
- (4) Easement dated April 6, 1960 recorded in Deed Book 8-C, page 132.

SECTION 2. Additional easements and permits authorized.—The Board of Commissioners of Oconee County is hereby authorized to execute such other easements and permits as may be required

by the Oconee Soil Conservation District in carrying out the Watershed Protection and Flood Prevention Program in Oconee County.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R836, H2316)

No. 1177

An Act To Authorize The Board Of Commissioners Of Oconee County To Convey Certain Land To The Pleasant Hill Baptist Church.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Oconee County to convey property.—The Board of Commissioners of Oconee County is hereby authorized and directed to convey to Pleasant Hill Baptist Church, upon payment of a consideration of four hundred dollars, that certain tract of two acres situate in Five Fork Community of Oconee County more particularly described by that certain plat prepared by Snead Schumacher, Registered Engineer, dated February 8, 1961.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R1264, H2239)

No. 1178

An Act Providing For The Creation Of Watershed Conservation Districts In Oconee County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Oconee Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Oconee County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Oconee County.—Authority is hereby granted to form watershed conservation districts within Oconee County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate.

and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of Oconee County.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For creation of Watershed Conservation District”

“Against creation of Watershed Conservation District”

A square shall follow each proposition. The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as de-

terminated by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Oconee County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions — election — ballots — terms — officers — bond of

treasurer.—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, under the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute

an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act; *Provided*, that the power of eminent domain shall not extend to property of any public utility or rural electric cooperative which could have been acquired under its power of eminent domain.

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act.

SECTION 11. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 12. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the super-

visors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Oconee County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 13. Petition for discontinuance of district — hearing — referendum — discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 6 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Watershed Conservation District" and "Against terminating the existence of the Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable

and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Oconee County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 14. Supervisory authority if district discontinued.—If the Oconee Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Oconee County.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1277, H2739)

No. 1179

An Act To Provide For The Levy Of Taxes And Make Appropriations In Oconee County For School and County Purposes; To Provide For The Borrowing Of Money In Anticipation Of The Collection Of Taxes; And To Make Appropriations And Direct The Expenditure Thereof For The Fiscal Year Beginning July 1, 1962.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Oconee County is hereby authorized and directed to levy, with the approval of a majority of the legislative delegation, and the treasurer to collect a sufficient millage on taxable property of Oconee County to meet ordinary county purposes herein appropriated for the year beginning July 1, 1962, and ending June 30, 1963, and a sufficient levy for the payment of any outstanding bonded indebtedness, as well as for the repayment of the nine hundred thousand dollar Hospital Bond issue.

SECTION 2. From the General Fund of the county and the revenue derived under the provisions of Section 1 of this act, the following appropriations are hereby made, to be expended in conformity with the directions herein specified.

Item 1.

- | | |
|---|--------------|
| A-1. Chain Gang | \$ 24,000.00 |
| A-2. Roads, Bridges, Rock Crusher, labor and replacement parts, trucks and machinery | 130,000.00 |
| \$75,000.00 of the above amount shall come from gasoline tax, balance from the General Fund of the county. <i>Provided</i> , that \$15,000.00 of the \$126,000.00 is prorated for services and materials used in incorporated towns of Oconee County. The funds shall be prorated between municipal corporations of Oconee County according to the assessed valuation; <i>provided</i> , further, no municipal corporation shall receive less than \$800.00 regardless of assessment. | |
| A-3. Payment of new equipment | 20,000.00 |
| B. Road Bonds and Interest | 30,000.00 |
| So much of the gasoline tax fund derived from the one cent gasoline tax received by the county, as shall be necessary to repay the principal and interest on road bonds due and payable in the fiscal year 1962-1963, shall be set aside monthly by the Treasurer of Oconee County to anticipate the payment of the principal and interest in the amount listed above. | |
| C. Paved Roads | 60,000.00 |
| <i>Provided</i> , each and every road paved shall be set up by project number, and it shall be the duty of the Supervisor to see that proper records are | |

kept on each project, showing expenditures and to what purposes.

Item 2.

- A. Operation and maintenance of county farm to include salary of steward and matron and purchases that may become necessary\$ 11,000.00

The appropriation made in Item 1 and Item 2 shall be expended as may be necessary by the supervisor and county board of commissioners to the purposes above-mentioned in an economical and businesslike manner, and to that end the following procedure shall be observed:

a. The supervisor and members of the board of commissioners are expressly charged with the duty of limiting the expenditures to one-fourth of the annual appropriation in any three-month period, with the exception of Item 1-C., Paved Roads, which shall be limited to a six months' period, and any obligation in excess thereof shall be null and void and shall not be an obligation of the county. Failure to comply with this provision shall constitute negligence of office.

b. All salaries and wages of employees which come under the jurisdiction of the county supervisor, and the salaries and wages which come under the jurisdiction of the county board of commissioners, shall be fixed before any such employment may be effective. The supervision of all employees covered by Item 1 and Item 2 shall be the sole responsibility of the supervisor.

c. All purchases of supplies, materials, lumber, gas and oils, and machinery shall be made by the supervisor and board of commissioners after public advertisement for at least ten days or advertisement in two issues of a newspaper published in Oconee County, and purchases shall be made on a basis of economics effected and distribution of contract among suppliers.

d. Food purchases for Item 1 and Item 2 shall be purchased from wholesale companies in Oconee County where possible.

e. Emergency purchases not to exceed eight hundred dollars may be made by the county supervisor without bids and advertisement. *Provided*, that in such cases where machinery or equipment is in need of repair and idle that the same may be repaired by the supervisor without bids.

Item 3. Salaries:

- A. Clerk of Court\$ 5,200.00
1st Clerk 3,400.00

2nd Clerk	3,400.00
3rd Clerk	2,800.00
Office Supplies	5,500.00
B. Treasurer	1,702.00
Clerk	3,200.00
Extra Clerical Hire	800.00
Office Supplies	1,250.00
C. Auditor	1,702.00
1st Clerk	3,000.00
2nd Clerk	2,800.00
Office Supplies	800.00
D. Supervisor	5,500.00
Clerk	3,200.00
Office Supplies	1,000.00
E. Judge of Probate	4,300.00
Clerk	3,200.00
Office Supplies	1,500.00
Extra Special Hearing Clerk	300.00
F. Comptroller	4,800.00
Clerk	2,800.00
Office Supplies	300.00
G. County Physician	900.00
H. County Attorney	900.00
<i>Provided</i> , that additional compensation shall be authorized by the supervisor and county board of commissioners in litigation to be paid from the contingent fund.	
I. Coroner	1,500.00
Travel	250.00
Office Supplies	50.00
J. Custodian of courthouse and county offices	3,000.00
K. Members board of commissioners	
Salary (5) at \$600.00 each	3,000.00
Travel (5) at \$600.00 each	3,000.00
<i>Provided</i> , travel is done in own vehicles at own expense and not in county vehicles.	
L. Tax Collector	4,800.00
Travel	360.00
Clerk	3,000.00
Office Supplies	400.00

M. Law Enforcement

Sheriff's salary	5,500.00
Chief Deputy Sheriff, salary	4,400.00
7 Deputies at \$4,200.00 each	29,400.00
Uniforms, Sheriff and Deputies, (8) @ \$200.00 each	1,600.00
<i>Provided</i> , that uniforms shall be purchased by the Sheriff's Department and shall be signed for and shall remain the property of Oconee County.	
<i>Provided</i> , further, that within one year after the employment of any Deputy Sheriff, he must attend and graduate from the Law Enforcement School for Officers.	
Gasoline	5,000.00
<i>Provided</i> , all fees accruing to the Sheriff and Deputies shall be returned to the General Fund of the County.	
Clerk	3,000.00
Maintenance	7,500.00
Purchase and repair of automobiles for Sheriff and Deputies; <i>provided</i> , one new car is purchased each year.	
Jailors	4,400.00
Salaries to be set by Sheriff.	
Industrial Constables	2,400.00
Industrial Constables (Clemson area)	1,200.00
Office Supplies	500.00

N. Magistrates:

Seneca	1,300.00
Walhalla	1,300.00
Westminster	1,300.00
Salem	750.00
Oakway	750.00
Office Supplies	150.00
To be approved by County Comptroller prior to purchase, no magistrate to use over \$30.00 each.	

O. Miscellaneous:

Home Demonstration Stenographer supplement	1,600.00
Farm Agent Stenographer supplement	1,140.00
Clerical Assistant to Probation Officer	300.00

- Item 4. Boards:
- A. Board of Tax Appeals\$ 300.00
Board of Assessors to be paid from the General Contingent Fund with the approval of the delegation.
 - B. Sinking Fund Commission, 3 members @ \$50.00 each 150.00
- Item 5. Contributions:
- A. Supplies and telephone, Home Demonstration Agent\$ 200.00
 - B. Supplies, Farm Agent 100.00
 - C. Boys' 4-H Club Work 100.00
 - D. Girls' 4-H Club Work 100.00
 - E. Future Farmers Chapter 100.00
 - F. Junior Homemakers Chapter 100.00
 - G. Maintenance 4-H Club Center 300.00
 - H. Travel for 2 fire wardens @ \$550.00 each 1,100.00
- Item 6. Oconee County Library Commission\$ 22,500.00
- Item 7. Court expense\$ 10,000.00
- A. *Provided*, petit jurors and grand jurors shall be paid seven dollars per day, and witnesses one dollar per day in actual attendance.
 - B. Magistrate and coroner jurors shall be paid one dollar per day.
- Item 8. Operating of jail, including feeding prisoners ..\$ 5,500.00
(Upon presentation of itemized and notarized claims to include kitchen supervisor)
- Item 9. Public Welfare:
- A. Emergency Relief\$ 5,500.00
Provided, that no more than fifty per cent shall be expended in any one quarter. *Provided*, further, that no more than fifty per cent shall be expended in six months.
 - B. Board of Public Welfare, 3 members @ \$60.00 each 180.00
 - C. Travel for Child Welfare Worker 800.00
- Item 10. Lunacy and Inquest\$ 1,200.00
- Item 11. Public Buildings, upkeep and maintenance (All purchases to be made by the Supervisor)\$ 8,000.00

- Item 12. Books, printing, postage, etc., as specified in Office Supplies. *Provided*, that no office equipment shall be purchased with these funds.
- Item 13. Bond premiums and insurance\$ 6,500.00
- Item 14. Telephone account\$ 2,500.00
Provided, a monthly itemized statement shall be rendered showing the necessity for each long distance toll charge.
- Item 15. County Health Unit\$ 11,750.00
- Item 16. County Planning Board\$ 8,500.00
- Item 17. County Service Officer, county's part\$ 3,700.00
- Item 18. County Hospital\$ 5,000.00
- Item 19. Contingent Fund\$ 10,000.00
Provided, that this fund shall be expended only upon the written approval of a majority of the legislative delegation.
- Item 20. General Contingent\$ 7,500.00
Provided, that rentals, magistrates' telephones and miscellaneous obligations, including an annual audit of books and records of Oconee County shall be paid therefrom.
- Item 21. National Defense :
Seneca Unit\$ 1,000.00
Clemson Unit 300.00
- Item 22. Retirement and Social Security, county's part . \$ 13,000.00
- Item 23. Law Enforcement Travel—out of county travel . \$ 500.00
The Sheriff or his deputies, when on necessary official duty beyond the limits of the county, shall be paid actual expenses, not to exceed ten dollars per day. Before being paid, he shall present itemized and notarized vouchers for mileage and receipted bills for expenses.
- Item 24. Artificial Insemination Program\$ 2,500.00
Provided, this fund shall be disbursed upon approval of the Board of Directors of the Oconee County Artificial Insemination Organization.
- Item 25. Soil Conservation\$ 2,000.00
Provided, that such funds shall be used only in the maintenance and operation of The Coneross Watershed project.

Item 26. Police Annuity	\$ 5,000.00
Item 27. Civil Defense	\$ 500.00
To be expended upon the approval of the legislative delegation.	
Item 28. Rural Fire Control Commission	\$ 10,500.00
To be expended upon the approval of the legislative delegation.	

GRAND TOTAL, ALL EXPENDITURES ..\$579,084.00

Estimated Revenue Other Than Taxes:

Gasoline Tax	\$120,000.00
Alcoholic Liquor Tax	32,000.00
Beer and Wine Tax	8,000.00
Bank Tax	3,000.00
Insurance License Fees	12,000.00
Income Tax	35,000.00
National Forest Fund	23,000.00
Magistrate Fines	32,000.00
Judge of Probate, fees	2,500.00
Clerk of Court	25,000.00
Other fees and forfeitures	5,000.00

TOTAL

\$297,500.00

Amount to be raised by taxes\$281,584.00

SECTION 3. The board of commissioners shall include the supervisor wherever the term board of commissioners is used in the appropriation act.

SECTION 4. A tax of thirty-eight mills is hereby laid upon all taxable property of Oconee County for general school purposes, and the Auditor of Oconee County is hereby authorized and directed to levy the tax laid, and the treasurer is required to collect the revenues arising therefrom, and the revenues shall be used by the Oconee County Board of Trustees of the School District of Oconee County for administration, the supplementation of teachers' salaries, maintenance and operation of all schools located in the School District of Oconee County.

SECTION 5. The Auditor of Oconee County is hereby directed to prepare a tax return for each automobile in Oconee County as re-

ported by the State Carolina Highway Department from vehicle registration. The Auditor, Treasurer and Tax Collector of Oconee County are further enjoined to adopt such procedures and methods as shall assist the taxpayers and South Carolina Highway Department in complying with the acts of the General Assembly providing for the payment of property tax on motor vehicles before issuance of registration and license by the South Carolina Highway Department.

SECTION 6. The tax collector shall assist the auditor wherever possible in returning any property for taxation not otherwise returned or where individuals or firms have failed to make returns.

SECTION 7. No fund shall be transferred from one account to another without the written consent of the Oconee County Legislative Delegation. The legislative delegation is hereby empowered to transfer from the General Fund, or any fund of the county, and supplement any appropriation herein made, and the treasurer, the board of commissioners, and comptroller of the county shall honor such transfers and comply with the terms thereof.

SECTION 8. The board of commissioners shall see that proper records are kept of the chain gang, showing all expenditures and for what purposes, also the number of convicts of the chain gang each day, number received and dismissed, with their names, also kind of work being done by convicts. It shall be the duty of the board of commissioners to see that proper records are kept of all the operations of the county farm, showing all expenditures and receipts, total number of acres being farmed and the market value of all commodities produced. The board of commissioners is hereby requested to inspect all county buildings, including county home, jail and chain gang each month to see that they are kept in a clean and sanitary condition. The board of commissioners shall inspect all highway construction and see that all work is being done properly. It shall be the duty of the board of commissioners to keep a complete record (pertaining to Item 1, A-2) showing allocations to each incorporated town, expenditures and to what purpose.

SECTION 9. The supervisor shall furnish to the board of commissioners an accurate inventory of all supplies and materials and parts. Such inventory shall be made on the first day of each month. The board of commissioners shall use such inventory as a guide for purchasing.

SECTION 10. All past transfers of funds by order of the members of the previous and present legislative delegation are hereby validated and confirmed.

SECTION 11. The Treasurer and Board of Commissioners of Oconee County are hereby authorized and empowered, if need be, to borrow in the name of the county an amount not to exceed fifty per cent of the appropriation herein made, and in anticipation of the collection of taxes to meet the operating expenses of the county for the current fiscal year July 1, 1962, to June 30, 1963, and to execute obligations in the name of the county for the sum so borrowed, which shall bear the lowest rate of interest possible. The taxes levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligation shall be executed by the county treasurer and the board of commissioners. Each bank in Oconee County shall be allowed to submit a bid for the total or any portion of the amounts herein authorized to be borrowed; and the officers are empowered to reject any and all bids made therefor.

SECTION 12. The treasurer, upon written request of the county board of education, is hereby empowered and authorized, if need be, to borrow in the name of the schools an amount not to exceed fifty per cent of the appropriation herein made and in anticipation of the collection of taxes to meet the operating expenses of the schools for the current fiscal year July 1, 1962, to June 30, 1963, and to execute obligations in the name of the schools for the sum so borrowed, which shall bear the lowest rate of interest possible. The taxes levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligations shall be executed by the county treasurer and county board of education. Each bank in Oconee County shall be allowed to submit a bid for the total or any portion of the amounts herein authorized to be borrowed; and the officers are empowered to reject any or all bids made therefor.

SECTION 13. The treasurer, upon written request of the county board of education, is hereby authorized and empowered, if need be, to transfer to school transportation account and to school teacher salary account, from the General Fund of the county, not to exceed fifty per cent of the appropriation herein made, in anticipation of the collection of taxes to meet the operating expenses of the schools.

Upon the collection of the taxes levied for the operation of schools, the sums so transferred shall be refunded to the General Fund of the county.

SECTION 14. The treasurer, upon written request of the county board of commissioners, is hereby authorized and empowered, if need be, to transfer to the General Fund of the county school funds, not to exceed fifty per cent of the appropriation herein made in the anticipation of the collection of taxes to meet the operating expenses of the county. Upon collection of the taxes levied for ordinary county purposes, the sums so transferred shall be refunded to the school fund of the county.

SECTION 15. The county superintendent of education, or officer designated by the board of trustees, is authorized to approve claims for teachers' salaries and transportation, and the Treasurer of Oconee County is authorized to pay same from any school fund in anticipation of the receipts of monthly State aid and transportation; *provided*, such claims do not exceed fifty per cent of anticipated monthly State aid and transportation; and *provided*, such payments do not exceed fifty per cent of the total amount of school funds on deposit in the banks of Oconee County.

SECTION 16. Before purchase or contracting for the purchase of any equipment, materials, supplies, goods, wares, merchandise, services or anything whatsoever needed and used for county purposes, such department head or heads, not to include the superintendent of education, shall make requisition by order or voucher to the county comptroller's office whereupon it must be certified as to the availability of funds before any purchase is made. Petty cash funds are hereby authorized if such be necessary to carry out this section.

SECTION 17. When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within the county whenever such firms or individuals are reliable and offer equipment, material, goods, wares, merchandise or services of equal quality and specifications with like goods from outside of the county and at a price equal to or less than the price submitted by such nonresident bidders.

SECTION 18. All claims for supplies and services furnished to the county during any calendar month shall be paid on the sixth day of

each month. If this date should fall on a holiday, claims will be paid the following day. Should the sixth day of the month fall on Saturday or Sunday, claims will be paid the following Monday. All claims against the county must be passed on by the comptroller as to the availability of the funds for the payment of same. The county comptroller and the board of commissioners shall at all times maintain in their respective offices a list of all claims paid during the preceding month, showing the payee and the amount, and the records shall at all times be subject to public inspection.

SECTION 19. The appropriation herein made shall not be exceeded and any officer incurring indebtedness on the part of the county in excess of the appropriation herein made shall be liable upon his official bond therefor. Any claims presented to the county for payment and remaining unpaid after the monthly meetings of the board of commissioners shall be listed by the clerk and reported to the treasurer and comptroller within ten days. If no claims remain unpaid, the clerk shall so report.

SECTION 20. No employee of the county shall sell any services, or materials, or hold any office that shall conflict with the hours for which they receive pay from the county or in the performance of their official duties, except that a department or agency may at its own discretion grant a leave of absence for the period of such conflict. *Provided*, in case of such a leave of absence the department granting the leave of absence shall employ a qualified substitute for the duration of the leave of absence.

SECTION 21. All recipients of county funds who are not a part of the county government, namely: Farm Agent; Home Agent; Boys' 4-H Club; Girls' 4-H Club; Future Farmers; Junior Homemakers Club; Oconee Hospital; Planning Board; Artificial Insemination; National Defense; Clemson and Seneca Units; and Soil Conservation Board, shall furnish an itemized statement of the money spent from the appropriation to that organization. This statement shall be filed with the county board of commissioners and delegation no later than thirty days following the end of the fiscal year.

SECTION 22. Salaries for ordinary clerical employment shall be based on the following schedule:

Beginning or probationary period	\$ 2,600.00
After six months service	2,800.00

After 2 years service	3,000.00
After 5 years service	3,200.00
After 10 years service	3,400.00

The term service shall mean continuous employment except upon official leave of absence granted by the department head.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R710, H2083)

No. 1180

An Act To Authorize The Board Of Education, The Board Of Trustees Of Edisto School District No. 4 And The Treasurer Of Orangeburg County To Borrow Not Exceeding Thirty-five Thousand Dollars For School Purposes And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Edisto School District 4 of Orangeburg County may borrow money.—The Board of Education, the Board of Trustees of Edisto School District No. 4 and the Treasurer of Orangeburg County are hereby authorized, upon approval by a majority of the county legislative delegation, including the Senator, to borrow for school purposes not exceeding thirty-five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Education, the Board of Trustees of Edisto School District No. 4 and the Treasurer of Orangeburg County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal annual instalments. The first instalment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note or notes the Auditor of Orangeburg County shall levy, and the treasurer shall collect, an annual tax on all the taxable property in the district sufficient to retire the loan and interest due thereon, and the entire proceeds

of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R728, H2125)

No. 1181

An Act To Make A Supplemental Appropriation For Orangeburg County For The Fiscal Year July 1, 1961 To June 30, 1962.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby appropriated the following amount for county purposes for Orangeburg County for the fiscal year July 1, 1961 to June 30, 1962, which shall be in addition to the Orangeburg County Appropriations Act:

Contingent Fund	\$ 25,000.00
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Total	\$ 25,000.00
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SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R748, H2165)

No. 1182**An Act To Validate A Certain Obligation Of School District No. 6, Orangeburg Cuntty, In The Amount Of Ninety Thousand Dollars And To Provide For The Payment Of Such Obligation.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Obligation of Orangeburg County School District 6 validated.—The General Assembly finds that prior to this enactment the Treasurer and Board of Trustees of School District No. 6, Orangeburg County, borrowed ninety thousand dollars from the Division of Sinking Funds and Property evidenced by a note dated August 15, 1961; both principal and interest thereon at the rate of four per cent per annum, payable on April 1, 1962. The General Assembly ratifies, approves and confirms the above obligation incurred on behalf of School District No. 6, and declares the obligation to be legal, valid and binding upon School District No. 6; *provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Orangeburg County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of School District No. 6 are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R795, H2264)

No. 1183

An Act To Authorize The Board Of Education, The Board Of Trustees Of Edisto School District No. 4 And The Treasurer Of Orangeburg County To Borrow Not Exceeding Thirty-five Thousand Dollars For School Purposes And To Provide For The Payment Of The Loan; And To Repeal An Act Of 1962 Bearing Ratification No. 710 Which Authorizes Edisto School District No. 4 Of Orangeburg County To Borrow Certain Funds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Edisto School District 4 of Orangeburg County may borrow money.—The Board of Education, the Board of Trustees of Edisto School District No. 4 and the Treasurer of Orangeburg County are hereby authorized, upon approval by a majority of the county legislative delegation, including the Senator, to borrow for school purposes not exceeding thirty-five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Education, the Board of Trustees of Edisto School District No. 4 and the Treasurer of Orangeburg County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note or notes the Auditor of Orangeburg County shall levy, and the treasurer shall collect, an annual tax on all the taxable property in the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the district, which have

not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Act 1180 of 1962 repealed.—An act of 1962 bearing Ratification No. 710 is hereby repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R841, H2344)

No. 1184

An Act To Validate A Note Of Ninety Thousand Dollars Given By School District No. 6 Of Orangeburg County To The State Budget And Control Board, Division Of Sinking Funds And Property, And To Authorize The Trustees Of The School District To Issue Not Exceeding One Hundred Forty Thousand Dollars Of General Obligation Bonds Of School District No. 6 Of Orangeburg County, To Prescribe The Conditions Under Which Such Bonds Shall Be Issued, And To Make Provision For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that heretofore by Act No. 1099 of 1960 an amendment to Section 5 of Article X of the Constitution was proposed in order to enable School District No. 6 of Orangeburg County to incur bonded indebtedness up to fifteen per cent of the assessed value of the taxable property in the school district, and that the proposal was duly submitted to the qualified electors of the State in the General Election of November 8, 1960, in the manner prescribed by Section 1 of Article XVI of the Constitution and voted upon favorably. Such amendment has now been duly ratified by an act enacted contemporaneously herewith, and the same is now a part of the Constitution and is the provision controlling the debt limitation for School District No. 6 of Orangeburg County. Notwithstanding that the proposed amendment was not ratified during the 1961 session of the General Assembly, the Board of Trustees of School District No. 6 of Orangeburg County in the mistaken belief that the amendment had been ratified, ordered an

election pursuant to the "School Bond Act" (Sections 21-971 to 21-990, inclusive, Code of Laws of South Carolina, 1952, as amended) to submit to the qualified electors of School District No. 6 of Orangeburg County the question of the issuance of one hundred forty thousand dollars of general obligation bonds whose proceeds were to be applied to the construction and equipping of school facilities in the school district. The election was duly and regularly held on March 7, 1961, and resulted favorably to the issuance of bonds by a vote of three hundred fifty-two to twenty-four. Thereafter in July, 1961, bonds were ordered sold, but prior to the scheduled sale it was ascertained that the constitutional amendment had not been ratified, and as a consequence, the proposed offering would exceed the then effective constitutional debt limitation. To meet urgent needs of the program which had been planned, the trustees arranged a loan with the State Budget and Control Board, Division of Sinking Funds and Property, in the sum of ninety thousand dollars, maturing April 1, 1962. The trustees of the district now wish, and the General Assembly is minded to empower them, to authorize the issuance of one hundred forty thousand dollars of bonds of the school district, which will provide the funds needed to discharge the indebtedness of the school district on the note to the State Budget and Control Board, Division of Sinking Funds and Property, and to provide all of the school facilities intended to be obtained from the proceeds of the planned issue of one hundred forty thousand dollars.

SECTION 2. Note of School District 6 of Orangeburg County validated.—The General Assembly validates and confirms the legality of the ninety thousand dollar note of School District No. 6 of Orangeburg County, payable to the State Budget and Control Board, Division of Sinking Funds and Property, on April 1, 1962, and declares the same to be a valid, binding and incontestable obligation of School District No. 6 of Orangeburg County, for whose payment there is hereby pledged the full faith, credit and taxing power of the school district.

SECTION 3. Bond issue authorized.—The trustees of School District No. 6 of Orangeburg County are hereby authorized and empowered to issue general obligation bonds of the school district in the principal amount of not exceeding one hundred forty thousand dollars and to apply the proceeds of such bonds to the payment of indebtedness of the school district upon its note described above, and to utilize

the remaining proceeds for the purpose of providing additional public school facilities in the school district.

SECTION 4. Procedure for issuing bonds.—The bonds shall be issued under the conditions of the "School Bond Act" (Sections 21-971 to 21-990, inclusive, Code of Laws of South Carolina, 1952, as amended) except that no further election shall be required as a condition precedent to the issuance of the bonds, the General Assembly, having found that the wishes of the electorate having been adequately expressed, therefore removes the holding of any further election as a condition precedent to the issuance of such bonds. It further declares that no consent of the County Board of Education of Orangeburg County or of any other public agency shall be required as a condition to the issuance of the bonds herein authorized, and that the bonds, if issued under the remaining conditions of the School Bond Act, shall be valid, binding and incontestable obligations of School District No. 6 of Orangeburg County, for whose payment there shall be pledged the full faith, credit and taxing power of the school district; and to that end an ad valorem tax, without limit as to rate or amount, shall be levied upon all taxable property in the school district, as prescribed by Section 21-985, Code of Laws of South Carolina, 1952, as amended.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R842, H2348)

No. 1185

An Act To Authorize The Trustees Of Holly Hill School District No. 3 Of Orangeburg County To Borrow Not Exceeding One Hundred Fifteen Thousand Dollars, Or The Constitutional Limit, For The Purpose Of Constructing A Gymnasium, And To Provide For The Payment Of The Indebtedness.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Holly Hill School District 3 of Orangeburg County may borrow money.—The Trustees of Holly Hill School District No.

3 of Orangeburg County are authorized to borrow not exceeding one hundred fifteen thousand dollars, or the constitutional debt limit applicable to the district, for the purpose of constructing a gymnasium. The amount borrowed shall be evidenced by a note or notes executed by the members of the board of trustees of the school district, and shall bear interest at a rate not exceeding four per cent per annum. The payment of the principal shall be in ten annual, equal, successive installments.

SECTION 2. Payment.—For the payment of the principal and interest of the note or notes, the full faith, credit and taxing powers of the district are irrevocably pledged and there shall be levied annually by the Auditor of Orangeburg County, and collected by the Treasurer, in the same manner as other taxes are levied and collected, a tax without limit on all the taxable property within the school district sufficient to pay the principal and interest as they respectively become due.

SECTION 3. Exempt from taxes.—The note or notes issued under this act shall be exempt from all state, county, municipal, school district and other taxes.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1962.

(R970, H2496)

No. 1186

An Act To Make A Supplemental Appropriation For Orangeburg County For The Fiscal Year July 1, 1961 To June 30, 1962.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby appropriated the following amounts for county purposes for Orangeburg County for the fiscal year July 1, 1961 to June 30, 1962, which shall be in addition to the Orangeburg County Appropriations Act:

- (1) Orangeburg County Highway Commission—
Purchase Machinery\$ 25,000.00

(2) Orangeburg County Planning and Development Commission—Purchase industrial plant sites and industrial plant sites development 75,000.00

Total \$100,000.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R1111, H2604)

No. 1187

An Act To Authorize And Empower The Board Of Trustees Of Branchville School District No. 8 In Orangeburg County To Issue Not Exceeding One Hundred Ten Thousand Dollars Of General Obligation Bonds Of The District If The Election Required By This Act Shall Result Favorably, To Prescribe The Purposes For Which The Proceeds Of The Bonds Shall Be Used And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Branchville School District 8, Orangeburg County, to have referendum on bond issue.—In order to ascertain if the approval of the qualified electors of Branchville School District No. 8 in Orangeburg County (hereinafter called the District) shall be given to the issuance of not exceeding one hundred ten thousand dollars of general obligation bonds of the District, a special election shall be held in the District on such occasion as shall be fixed by the board of trustees of the District.

SECTION 2. Question.—The election shall be conducted by the Commissioners of Election for Orangeburg County and shall be held in accordance with the provisions of the South Carolina election law applicable to special elections, and all persons resident in the District and qualified to vote under the Constitution and laws of the State shall be permitted to vote. The ballot to be used in such election shall be in form substantially as follows:

“Shall the Board of Trustees of Branchville School District No. 8 of Orangeburg County be authorized and empowered to issue

not exceeding one hundred ten thousand dollars of general obligation bonds of the School District, the proceeds of which shall be used to build gymnasiums?

Yes ☐
No ☐

Appearing on the ballot shall be instructions clearly printed apprising those who wish to vote in favor of the issuance of the bonds to place a check or cross mark in the square or block appearing opposite the word "Yes", and apprising those who oppose the issuance of the bonds to place a check or cross mark in the square or block opposite the word "No".

SECTION 3. Notice of election.—The Board of Trustees of Branchville School District No. 8 of Orangeburg County (hereinafter called the Board) shall give notice of the holding of the election by a publication to appear in one or more newspapers published in the county, once a week for three weeks prior to the date set for the holding of the election. The notice shall set forth:

- (1) The date on which the election is to be held;
- (2) The location of the several polling places;
- (3) The qualifications imposed upon persons desirous of voting;
- (4) The amount of bonds to be issued; and
- (5) General description of the purpose for which the bonds authorized by this act may be issued.

SECTION 4. Preparation of ballots.—The Board shall have the necessary ballots prepared and the commissioners of election shall have the required number of ballots delivered to each voting place of the District.

SECTION 5. Declaration of results of election.—The managers of each precinct shall file with the Commissioners of Election for Orangeburg County returns showing the number of ballots delivered to them, the number of ballots used in the election and the number spoiled, the number of persons voting in favor of the issuance of the bonds and the number of persons voting against the issuance of the bonds, with leave to report on any special circumstance occurring during the election.

Upon receipt of the returns of all the managers, the commissioners of election shall certify the results of the election to the Board.

SECTION 6. Resolution declaring election results—actions questioning results of election.—Upon being advised of the results of the election, the Board shall, by resolution duly adopted, declare the result thereof, and shall cause a certified copy of such resolution declaring such result to be filed in the office of the Clerk of Court of Orangeburg County and the Secretary of State. The result of the election shall not be open to question except by suit or proceeding instituted within thirty days from the filing of such certified copy of the resolution of the Board declaring the result of the election.

SECTION 7. Expenses of election.—If the election shall result favorably and bonds shall thereafter be issued, all expenses incurred in the printing of the ballots and the holding of the election shall be paid from the proceeds of the bonds.

SECTION 8. Issue bonds if election favorable.—If the election shall result favorably, the Board may proceed with the issuance of general obligation bonds of Branchville School District No. 8 of Orangeburg County in the aggregate principal amount of one hundred ten thousand dollars for the purpose of erecting gymnasiums. The bonds shall be issued either as a single issue or from time to time in several separate issues. Each issue of bonds shall mature serially in successive annual installments of such amounts as may be determined by the Board. The maturity date of the first installment of any series shall be not later than three years from the date of such series and the maturity date of the last installment of such series shall be not later than twenty years from the date of such series. Any bonds issued pursuant to this act may contain a provision permitting their redemption prior to their stated maturity at such rate of premium as shall be prescribed by the Board. The bonds shall be in such denomination and shall bear such rates of interest as the Board may determine, and shall be payable on such occasions as the Board shall prescribe. The bonds shall bear such date or dates and be payable at such place or places as the Board shall determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Orangeburg County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Board may prescribe.

SECTION 9. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their re-

spective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 10. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Orangeburg County in a special fund, separate and distinct from all other funds, and shall be expended for the following purposes:

(1) The accrued interest, if any, shall be applied to meet the first installment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first instalment of principal of the bonds to become due.

(3) The principal proceeds shall be expended upon the order or warrant of the Board for the cost of issuing the bonds and the holding of the election required by this act, and afterwards to the purpose for which the same shall have been issued.

If any moneys remain after making the foregoing applications, the remainder shall be applied to the retirement of bonds issued pursuant to this act. No purchaser or subsequent holder of any of the bonds shall be responsible for the proper application of the proceeds to the purpose for which such bonds are issued.

SECTION 11. Payment.—The full faith, credit and taxing power of Branchville School District No. 8 of Orangeburg County shall be pledged for the payment of the bonds and interest, and the Auditor of Orangeburg County and Treasurer of Orangeburg County, respectively, shall levy and collect annually a tax upon all taxable property in the District sufficient to pay such principal and interest as they respectively mature.

SECTION 12. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1097, H2575)

No. 1188**A Joint Resolution Extending The Shad Season In The Edisto River Above The Forty-Mile Limit Until Midnight May 25, 1962 For Non-Commercial Purposes.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Edisto forty mile limit shad season extended.—Notwithstanding any other provision of law to the contrary, the shad season in the Edisto River above the forty-mile limit is extended until midnight May 25, 1962 for non-commercial purposes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1121, S681)

No. 1189**An Act To Provide For Presenting To The Qualified Electors Of Orangeburg County The Question Of Whether Or Not They Approve The Construction Of A New County Library Building, The Cost Of Which Shall Not Exceed One Hundred Twenty-Five Thousand Dollars.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Orangeburg County—referendum on building county library.—There will be presented to the qualified electors of Orangeburg County at the general election of 1962 the following question:

“Do you favor the building of a new county library, the cost of which will not exceed one hundred twenty-five thousand dollars?

YES ☐
NO ☐

The commissioners of elections shall prepare ballots and furnish a sufficient number to each ballot box in the county in time for use on election day. These ballots shall be canvassed in the same manner as other ballots and the results announced in the same way.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1178, H2729)

No. 1190**An Act To Provide For The Operation Of Orangeburg County And The Welfare Of Its People During The Period From July 1, 1962, To June 30, 1963; To Direct County Activities; And To Levy Taxes For School Purposes And To Regulate Expenditures Of School And County Funds During The Period.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. For all county purposes and for the operation of Orangeburg County during the period beginning July 1, 1962, and ending June 30, 1963, the amounts stated herein are hereby appropriated; and there is hereby levied for the fiscal year 1962-1963 eight mills on all property in the county which, with other revenues accruing to the ordinary county fund, shall be used to pay amounts appropriated as follows:

Roads and Bridges:

1. Maintenance of chain gang, purchase of material, equipment and expense of maintenance of roads, bridges, public works and operation of pipe plant\$156,000.00

Total, Roads and Bridges\$156,000.00

County Highway Commission:

- 4-A. Salary, Members of Highway Commission\$ 5,000.00
- 4-B. Salary, Clerk of Highway Commission 3,630.00
- 4-C. Salary, County Attorney 1,200.00

Provided, that the salary shall cover all services rendered against the county except in actions in tort against the county.

Provided, further, that no other attorney shall be employed except with the approval of the county legislative delegation.

- 4-D. Salary, County Director 8,400.00
- 4-E. Extra Clerical Help, Highway Commission 1,320.00

Total, County Highway Commission\$ 19,550.00

County Treasurer:

- 10-A. County's portion, salary, County Treasurer\$ 3,352.00

Provided, that the county shall pay so much as will make his salary from county and state total \$7,200.00.

10-B. Salary, Deputy, County Treasurer	5,500.00
10-C. Clerical Help, Treasurer's Office	3,480.00

Total, County Treasurer's Office\$ 12,332.00

County Auditor:

15-A. County's portion, salary, County Auditor	\$ 3,352.00
<i>Provided</i> , that the county shall pay so much as will make his salary from the county and state total \$7,200.00.	
15-B. Salary, Deputy Auditor	5,500.00
15-C. Clerical Help, Auditor's Office	3,848.00
15-D. Traveling expenses, County Auditor	100.00
15-E. Auditor's Equalization Fund	1,500.00

Total, County Auditor\$ 14,300.00

Clerk of Court:

25-A. Salary, Clerk of Court	\$ 7,200.00
25-B. Salary, Deputy Clerk of Court	5,500.00
25-C. Salary, Clerk, Clerk of Court	2,798.00
25-D. Recording Clerk in Office of Clerk of Court	3,300.00

Total, Clerk of Court\$ 18,798.00

Education Department:

30-A. Superintendent of Education, office expense	\$ 600.00
30-B. Salary, Clerks to Superintendent of Education..	5,596.00
30-C. Supplement, County Lunch Room Supervisor ..	750.00
30-D. Superintendent of Education, County's portion of salary	2,390.50
<i>Provided</i> , that only so much shall be paid as to make a total salary from the county and state of \$7,200.00.	
30-E. Travel, Superintendent of Education	630.00
30-F. Per diem and travel, members County Board of Education	4,000.00
30-G. Travel, Attendance Teacher	300.00
30-H. Secretary to County Lunch Room Supervisor..	2,400.00
32-A. Eye treatment and glasses, needy school children, to be spent under supervision of Attendance Teacher	300.00

Total, Education Department\$ 16,966.50

Library Department:

34-A. Salary, Librarian	\$ 3,600.00
34-B. Salary, Assistant Librarian	2,340.00
34-C. Salary, Assistant Librarian	2,000.00
34-D. Salary, Bookmobile Librarian	2,220.00
34-E. Salary, Bookmobile Driver (Part Time)	1,350.00
34-F. Salary, Desk Assistants (Main Library)	2,640.00
35-H. Salary, Librarian (Branch Library)	2,000.00
35-I. Salary, Assistant Librarian (Branch Library) ..	1,350.00
35-J. Salary, Bookmobile Driver (Branch Library— part time)	900.00
35-K. Salary, Custodian Holly Hill Library	350.00
35-L. Salary, Custodian Elloree Library	350.00
35-M. Books and Periodicals	2,500.00
35-N. Supplies and Binding Expense	1,000.00
35-O. Travel, Library Commission	250.00
35-P. Bookmobile operation expense	700.00
35-Q. Miscellaneous Expenses	1,200.00
35-S. Travel, Librarian	300.00
35-T. Salary Adjustments	3,146.00

Total, Library Department\$ 28,196.00

Provided, that all funds appropriated herein for Item 30-A through 35-T are appropriated directly to the Orangeburg County Board of Education to be expended and disbursed by the board in accordance with the provisions of this act; *provided*, further, that any funds donated by the South Carolina Library Board shall be used for the purchase of books and any funds donated by the City of Orangeburg, or otherwise received, shall be used for miscellaneous expenses; *provided*, further, that appropriation for miscellaneous expenses provided under 35-Q may be used for telephone, telegraph, furniture and equipment, insurance, water and lights, heating, repairs, post office box rent and association meetings and dues; *provided*, further, that the County Director shall do the purchasing for the library and branch library except books, literature and minor items for the use in the maintenance

thereof; *provided*, further, that an itemized account of all receipts and disbursements of funds received other than from Orangeburg County shall be filed quarterly with the Orangeburg County Board of Education. *Provided*, further, that the sums set out hereinabove may be transferred by the County Board of Education to other designated items upon the written approval of the majority of the Orangeburg County Legislative Delegation.

Tax Collector:

39-A. Salary, Tax Collector	\$ 6,050.00
39-B. Clerk and Bookkeeper to Tax Collector	3,000.00

Total, Tax Collector's Office \$ 9,050.00

Law Enforcement:

40-A. Salary, Sheriff	\$ 7,200.00
40-B. Expense in and outside of county	2,100.00
40-C. Clerk	3,000.00
43-A. Salary, Jailor	2,798.00
43-B. Dieting Prisoners	8,000.00

Provided, that the Sheriff shall be allowed one dollar per day for dieting each prisoner; *provided*, however, that the day of admittance shall be excluded, and the day of discharge included in computing the number of prisoner days.

43-C. Jail equipment, repairs, heating and miscellaneous expense	4,000.00
46-B. Salary, eight deputies @ \$3,960.00	31,680.00
46-C. Salary, Chief Deputy Sheriff	4,510.00
46-D. Travel, nine Deputy Sheriffs @ \$2,400.00 each. .	21,600.00

Provided, that the County Treasurer is authorized to pay from 43-B claims of outside deputy sheriffs for feeding prisoners kept in their custody between the time of their arrests and transfer to jail or discharge. The per diem allowed the Sheriff shall be followed and each claim shall be itemized and approved by the magistrate in whose jurisdiction the arrest was made.

46-E. Purchase of uniforms and Law Enforcement equipment	1,800.00
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46-F. Radio maintenance	3,000.00
46-G. Radio Operator	1,590.00
Miscellaneous Expense, Sheriff's Office	500.00
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Total, Law Enforcement	\$ 91,778.00
Judicial Department:	
50-A. Court Expense	\$ 11,000.00
<i>Provided</i> , the court bailiffs shall receive five dollars per day; <i>provided</i> , the chief bailiff to be designated by the Sheriff shall receive six dollars per day. <i>Provided</i> , further, that ten dollars may be paid for each transcript of testimony at Coroner's inquests, upon the approval of the Coroner. <i>Provided</i> , further, that in the event any capital cases are appealed to the Supreme Court by lawyers appointed by the court to represent the defendant, the cost of printing record for appeal and brief for defense counsel shall be paid for from this item.	
50-B. County Audit, as contracted for by Orangeburg County Highway Commission, not to exceed	1,500.00
53-B. Salary, County Judge	11,900.00
53-C. Salary, Stenographer for County Judge	4,400.00
53-D. Salary, Court Stenographer for county court work	1,000.00
53-E. Clerical help for Circuit Solicitor, to be drawn and disbursed by him	1,200.00
53-F. Travel, First Circuit Probation Officer	480.00
54-A. Salary, Domestic Relations Court Judge (part time)	4,950.00
54-B. Salary, Stenographer, Domestic Relations Court	3,800.00
54-C. Salary, Probation Counselor, Domestic Relations Court	5,830.00
54-D. Travel, Probation Counselor, Domestic Relations Court	1,800.00
54-E. Law Library, County Judge	100.00
54-F. Miscellaneous Expense, Domestic Relations Court	600.00
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Total, Judicial Department	\$ 48,560.00

Probate Judge:

55-A. Salary, Judge of Probate	\$ 7,200.00
55-B. Salary, Deputy Judge of Probate	4,400.00
55-C. Post Mortems and Lunacies	800.00

Total, Judge of Probate\$ 12,400.00

Magistrates (Part Time):

58-A. Salary, Magistrate at Orangeburg	\$ 3,300.00
58-B. Stenographic service and office expense of Magistrate at Orangeburg	1,320.00
59-A. Salary, Magistrate at North	1,320.00
59-B. Salary, Magistrate at Branchville	1,320.00
59-C. Salary, Magistrate at Bowman	1,188.00
59-D. Salary, Magistrate at Holly Hill	1,320.00
59-E. Salary, Magistrate at Elloree	1,320.00
59-F. Salary, Magistrate at Springfield	1,188.00
59-G. Salary, Magistrate at Cope	1,320.00
59-H. Salary, Magistrate at Neeses	660.00
59-I. Salary, Magistrate at Norway	1,188.00
59-J. Salary, Magistrate at Eutawville	1,188.00

Total, Magistrates\$ 16,632.00

County Health Work\$ 30,473.82

60-A. Rabies Control Officer	3,000.00
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Total, County Health Work\$ 33,473.82

Provided, that such sum of money shall supplement the allotment to Orangeburg County by the State Health Department and the budget of the Health Department shall be approved by the Orangeburg County Legislative Delegation. Any unexpended funds remaining at the end of the fiscal year shall revert to the general fund of the county.

Provided, further, the rabies control program shall be under the supervision and control of the county health officers.

Farm and Home Demonstration Department:

65-A. Office Expense, Farm Demonstration Agent ...	\$ 75.00
65-B. Salary Supplement, Farm Demonstration Agent Assistants (Part)	1,080.00

65-C. Supplementary Stenographic Service, Farm (\$900.00) and Home (\$1,200.00) Demonstration Agents	2,100.00
65-D. Salary Supplement, Home Demonstration Agent	280.00
65-D-1. Supplies for Home Demonstration Agent	75.00
65-D-2. Salary Supplement, Assistant Home Demonstration Agent	280.00
65-E. Salary Supplement, Farm Demonstration Agent	1,300.00
65-F. Boys' 4-H Club	100.00
65-G. Girls' 4-H Club	100.00
65-H. Home Demonstration Club Work	50.00
65-I. Salary Supplement, Negro Demonstration Agent (Part)	1,000.00
65-J. Salary and Expense, Assistant to Negro Farm Demonstration Agent	3,080.00
65-K. Negro Home Demonstration Agent, Part Salary	851.00
65-L. Expense, Negro Home Demonstration Agent ..	180.00
65-M. Expense, Negro Farm Demonstration Agent ..	240.00
65-N. Negro Fair Association	300.00
65-O. Negro Boys' 4-H Club	100.00
65-P. Stenographer, Negro Home and Farm Demonstration Agents	2,090.00
65-Q. Negro 4-H Girls' Club	100.00
65-R. New Home Makers' Club	100.00
65-S. Rent, Negro Farm and Home Demonstration Office	600.00

Total, Farm and Home Demonstration Department\$ 14,081.00

Social Service:

- 70-A. Relief for the needy under the supervision of Department of Public Welfare\$ 4,500.00
Such sum to be advanced to County Welfare Department quarterly and, at the end of each quarter period, the county legislative delegation shall be furnished a statement showing how such money was spent.
- 70-B. Hospital Aid for Charity Patients 30,000.00
Provided, such sum of money shall be paid to the Orangeburg Hospital at Orangeburg in quarterly payments and, before such payments are

made, the hospital shall furnish to the Orangeburg County Highway Commission a statement showing the number of charity patients treated, and the number of days such patients were treated during the preceding quarter, and not more than thirty per cent of the total appropriation shall be drawn for any one quarter of the fiscal year. *Provided*, further, that the officials of the hospital shall have the right to enlist the assistance of the Orangeburg County Department of Public Welfare in investigating the financial standing of any person applying for assistance under the provisions of this section. *Provided*, further, that not more than seven dollars and fifty cents per day shall be payable from county for care of any patient.

70-C. County Welfare Department, Petty Cash	600.00
70-D. Expense of Child Welfare Workers	800.00
70-G. Stenographer, Department of Public Welfare ..	2,640.00
73-A. Children's Nursery at Orangeburg	600.00
73-F. Colored Children's Work	180.00
73-H. Sunlight Club, for aid in county	600.00

The amount hereinabove appropriated under Item 70-G shall be transmitted to the State Department of Public Welfare for the purpose of paying the salary of a stenographer in the local office.

Total, Social Service	\$ 39,920.00
Miscellaneous Expenses and Services:	
75-A. Salary of Coroner (Part Time)	\$ 726.00
75-B. Travel of Coroner @ \$25.00 per month	300.00
75-C. Payment of Coroner's juries at rate of two dollars for each member	400.00
75-D. Orangeburg County Planning and Development Commission	10,000.00

Provided, that the Orangeburg County Planning and Development Commission may draw the above amount and deposit the proceeds in its own bank account to carry on the duties prescribed for it by law.

75-E. Salary, Service Officer	6,050.00
<i>Provided</i> , that his full time is given to the duties of his office.	
75-F. Stenographer for Service Officer	3,000.00
75-G. Expenses, Service Officer	1,800.00
<i>Provided</i> , that he be furnished an office in the courthouse.	
75-H. Salary, Members of Board of Registration	1,300.00
<i>Provided</i> , the chairman shall receive a salary of \$500.00 from county appropriation.	
75-I. Expense, Local South Carolina National Guard Units	1,000.00
75-J. Expense, Civil Defense	500.00

Total, Miscellaneous Expenses and Services ... \$ 25,076.00

General Expense:

80-A. Stationery, Books, Office Supplies, Equipment, Printing, Postage and Advertising	\$ 16,500.00
80-B. Insurance on Public Buildings	1,500.00
80-C. Premiums on Bonds of County Officials	950.00
80-D. Courthouse, Expenses, including coal, water, lights, supplies, telephones, etc.	16,500.00
80-E. Part time Clerical Help, Orangeburg Soil Conservation District	1,000.00
80-G. Printing County Claims	600.00
80-H. Janitor Service, Courthouse	2,310.00
80-I. Janitors, Office Building	1,078.00
80-J. Janitors, County Health Center	1,320.00
80-K. To match funds of county officers and employees for retirement purposes and Social Security ...	20,000.00
80-L. Workmen's Compensation Coverage	1,000.00
80-N. To supplement funds, County Officers and Employees—Group insurance	6,400.00
80-T. Secretary to Delegation (Salary)	300.00

Total, General Expense

Contingent Fund:

85-A. Contingent Expenses	\$ 25,000.00
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Provided, that the expenditures from this item shall be approved by the county legislative delegation.

Total, Contingent Fund\$ 25,000.00

Transitory Expenditures:

90-G. For heat, water and expenses of curb market ...\$ 180.00

Provided, this amount shall be paid monthly to the secretary.

Total, Transitory Expenses\$ 180.00

TOTAL FOR OPERATING EXPENSES ..\$651,751.32

SECTION 2. The sums herein appropriated for the specific purposes under the several items herein are the maximum amounts which shall be expended for the respective purposes and no warrant or warrants shall be issued in excess of such amounts, nor shall any indebtedness be incurred which in the aggregate exceeds the amounts provided for each item, and the Treasurer of Orangeburg County is prohibited from paying any warrants which exceed such sums; *provided*, that no money shall be spent otherwise than is specifically authorized by this act or the legislative delegation, as provided herein, and all unexpended balances not otherwise directed in this act shall be placed to the credit of the general county fund; *provided*, further, that the Treasurer of Orangeburg County is authorized to deposit county funds in any banking institution or depository within the county, where the deposits are not insured, provided such banking institution or depository shall place with the county treasurer securities which in his judgment adequately protect any such deposit.

SECTION 3. The sums hereinabove appropriated shall only be used if so much be necessary and when not otherwise provided. Salaries and expenses, where combined in the same item, shall be paid monthly without requiring expenses to be itemized. *Provided*, that where expenses are provided as a separate item they shall not be paid except upon sworn itemized statements of the same. Travel paid for by the county shall be at the rate of nine cents per mile except that, when a public conveyance is used, only the actual cost of the transportation shall be paid.

SECTION 4. All sums received by the county treasurer from the officers formerly receiving fees in Orangeburg County shall be credited to the general county fund, and the treasurer shall keep a separate record of the monthly remittance from each such officer. *Provided*, that whenever any fees are due to any county officers by reason of work or service done for the county and, where the fees required by law to be paid would have to be paid by the county, the various county officers heretofore entitled to charge fees are instructed and authorized to perform such services and do such work without requiring the payment of such fees. *Provided*, however, each officer shall make a record of such work or service performed for the benefit of the county and file a statement of same with the county treasurer in making his monthly statement.

SECTION 5. Wherever reference is made in this act, or any other legislation, to any action of or by the legislative delegation, the same means the joint approval, agreement or order of the Senator and one-half of the Representatives of Orangeburg County in the General Assembly holding office at the time of such instructions.

SECTION 6. No portion of the funds hereby appropriated shall be used to pay for public liability insurance on any motor vehicle owned by Orangeburg County. The appropriation for Contingent Expenses may be used by the Orangeburg County Highway Commission to pay any deficit arising by reason of claims under Items 30-F, 43-B, 43-C, 50-A, 55-C, 80-A, 80-D, 80-K and 80-L, in case the specific appropriations therefor shall be exhausted.

SECTION 7. Upon written authorization of the Legislative Delegation from Orangeburg County, the Orangeburg County Highway Commission shall make the necessary repairs and improvements to the public buildings owned by the county, and the expense thereof shall be paid from the ordinary funds of the county.

SECTION 8. The county service officers, the attendance teacher, each outside deputy sheriff, the county health director, the county forestry ranger and county rabies control officer shall prepare written reports quarterly as to their activities and services, sending a copy to each member of the county legislative delegation.

SECTION 9. Jurors in the County Court shall be paid a per diem of five dollars for each day of attendance upon any session of the County Court.

SECTION 10. Any appropriations made by this act may be reduced or eliminated by order of the Legislative Delegation from Orangeburg County, and when any new employee enters the service of Orangeburg County, whether replacing an existing employee or filling a new position, the compensation or salary of such new employee shall be set by the legislative delegation.

SECTION 11. If any word, phrase, part or section of this act is held unconstitutional, the remaining portion shall continue in full force and effect.

SECTION 12. All acts or parts of acts inconsistent herewith are repealed.

SECTION 13. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R792, H2253)

No. 1191

An Act To Validate A Certain Obligation Of School District A, Pickens County, In The Amount Of Fifteen Thousand Dollars And To Provide For The Payment Of Such Obligation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Obligation of School District A of Pickens County validated.—The General Assembly finds that prior to this enactment the Treasurer and Board of Trustees of Pickens County School District A borrowed fifteen thousand dollars from the Division of Sinking Funds and Property, evidenced by a note dated September 25, 1961, payable in five, equal, successive, annual installments with interest thereon at the rate of four per cent per annum. The General Assembly ratifies, approves and confirms the above obligation incurred on behalf of School District A and declares the obligation to be legal, valid and binding upon School District A. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Pickens County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the

loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of School District A are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to such district, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Divisions of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R866, H2376)

No. 1192

An Act To Authorize The Board Of Trustees Of Pickens County School District A And The County Treasurer To Borrow A Sum Of Money For The Purpose Of Constructing A Stadium At Liberty And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County School District A may borrow money for stadium.—The Board of Trustees of School District A and the County Treasurer of Pickens County are authorized to borrow, for the purpose of constructing a stadium at Liberty, a sum not exceeding ten thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Chairman of the Board of Trustees of School District A and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note or notes, the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R867, H2383)

No. 1193

An Act To Validate Actions Of The Easley-Central Water Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Actions of Easley-Central Water District validated.—All actions done on behalf of the Easley-Central Water District by the Easley-Central Water Commission are hereby validated and declared to be legal in all respects.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R1152, H2738)

No. 1194**An Act To Authorize The Board Of Trustees Of School District "A" Of Pickens County To Borrow Not Exceeding Five Thousand Dollars For School Purposes And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County—School District A may borrow money.—The Board of Trustees of School District "A" of Pickens County is hereby authorized, upon approval of a majority of the legislative delegation, including the Senator, to borrow for school purposes not exceeding five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Chairman of the Board of Trustees of School District "A" of Pickens County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Pickens County shall levy, and the treasurer shall collect, an annual tax on all the taxable property in the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1189, H2702)

No. 1195

An Act To Create The Crow Creek Watershed Conservation District In Pickens County; To Provide For The Election Of Its Directors And To Define Their Powers And Duties; To Provide For A Tax Levy To Defray The Cost Of Organizing And Administering The District And For The Construction, Operation And Maintenance Of The Improvements To Be Provided Within The District; And To Provide For Various Elections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County—Crow Creek Watershed Conservation District authorized.—Authority is hereby granted to form the Crow Creek Watershed Conservation District in Pickens County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 2. Area.—The area embraced in the district must be contiguous and drain naturally into Crow Creek. The area shall not include lands located within the boundary of any incorporated city or town, lands not included within a soil conservation district, or lands embraced in another watershed conservation district.

SECTION 3. Formation petition.—Formation of the district shall be initiated by the filing of a petition with the board of supervisors of the Pickens Soil Conservation District. The petition must be signed by twenty-five or more freeholders in the proposed district. If there are less than fifty landowners within the proposed district, then a majority of the landowners may file a petition with the board asking that a watershed conservation district be organized to function in the area described in the petition. The petition shall set forth and define the boundaries of the proposed district, the number of acres involved, reasons for requesting the creation of the district and any other information pertinent to the proposal.

SECTION 4. Hearings on petition and inclusion of additional territory.—(a) Within thirty days after the petition has been filed with the board of supervisors of the Pickens Soil Conservation District, it shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of the watershed conserva-

tion district. All interested parties shall have the right to attend the hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the board of supervisors of the Pickens Soil Conservation District may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 2 of this act.

(b) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the board of supervisors of the Pickens Soil Conservation District determines, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination, and shall define the area but the description need not be given by metes and bounds, but the description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(c) If the board of supervisors of the Pickens Soil Conservation District determines after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall deny the petition.

SECTION 5. Referendum concerning creation of district if determination favorable—conduct of.—After the board of supervisors of the Pickens Soil Conservation District has determined that there is need, in the interest of the public health, safety and welfare, for creation of the proposed watershed conservation district, it shall consider the question whether the operation of a district within the proposed boundaries with the power conferred upon such district in Section 9 of this act is administratively practicable and feasible. To assist the board of supervisors of the Pickens Soil Conservation District in this determination the board shall, within a reasonable time after entry of the finding that there is need for the organization of the

district and the determination of the boundaries of the district, hold a referendum within the proposed district upon the proposition of the creation of the district. Due notice of the referendum shall be by notice published at least twice with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notices shall be posted at a reasonable number of conspicuous places in the appropriate area. These notices shall be posted at public places where it is customary to post notices concerning county or municipal affairs generally. Such notices shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed district as polling places. The board of supervisors of the Pickens Soil Conservation District shall have full charge of the election and shall have suitable ballots printed and furnished to each voting place, appoint necessary box managers and other election officials, and shall canvass the election and announce the results. Cost of holding the referendum shall be paid from the General Fund of Pickens County.

SECTION 6. Question and ballots.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For the creation of the Crow Creek Watershed Conservation District”

“Against the creation of the Crow Creek Watershed Conservation District”

A square shall follow each proposition. The ballot shall also contain a direction to insert an “X” mark in the square following one or the other of the propositions, as the voter may favor or oppose creation of the district. The ballot shall set forth the boundaries of the proposed district as determined by the board of supervisors. Only owners of lands lying within the boundaries of the territory, as determined by the supervisors of the Pickens Soil Conservation District, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in such referendum under rules and regulations prescribed by the board of supervisors of the Pickens Soil Conservation District.

SECTION 7. Certify results—create district if results favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the board of the super-

visors of the Pickens Soil Conservation District. Thereafter the board shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the board determines that the operation of such district is not administratively practicable and feasible, it shall record such determination and deny the petition. If the board determines that the operation of such district is administratively practicable and feasible, it shall record such determination and shall proceed with the organization of the district in the manner hereinafter set forth; *provided*, however, that the board shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least two-thirds majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the board shall determine that the operation of such district is administratively practicable and feasible, it shall certify such determination to the Clerk of Court of Pickens County and to the Secretary of State. Upon this certification, the watershed conservation district shall constitute a governmental subdivision of this State and a public body, corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee and the Secretary of State.

SECTION 8. Governed by board of directors—number—nominating petitions—election and conduct of—terms—officers.—(a) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(b) Within thirty days after the watershed conservation district has been created, nominating petitions may be filed with the board of supervisors of the Pickens Soil Conservation District to nominate candidates for directors of the watershed conservation district. No nominating petition shall be accepted by the board of supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the board of supervisors shall declare them to be elected. No person shall be eligible to be a director who is not a landowner in that portion of the watershed conservation district within the Pickens Soil Conservation District in which he seeks election.

(c) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen,

the board of supervisors of the Pickens Soil Conservation District shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the thirty-day period for the election of five directors of the watershed conservation district. The provisions of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all nominees on behalf of whom nominating petitions have been filed as hereinabove provided shall be printed, arranged in alphabetical order of their surnames, upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. All landowners within the watershed conservation district shall be eligible to vote in the election. Only landowners shall be eligible to vote. The five candidates who shall receive the largest number respectively of the votes cast in such election shall be the elected directors of the watershed conservation district. The five elected directors shall, under the supervision of the board of supervisors of the Pickens Soil Conservation District, be the governing body of the watershed conservation district.

(d) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years.

(e) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on such bond shall be paid by the watershed conservation district.

SECTION 9. Powers and duties.—The watershed conservation district shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the board of supervisors of the Pickens Soil Conservation District, have the following powers, in addition to others granted in other sections of this act:

(a) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district. *Provided*, however, there shall be no rights of eminent domain unless at least ninety per cent of the required easements, rights-of-way and permits for any one flood water retarding structure or unit of structures or unit of stream channel improvements have been acquired by the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(b) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(c) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district, and if promissory notes are issued, to execute such mortgages on any property owned by the district or assign or pledge such revenues or assessments of the district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 10 of this act;

(d) To levy an annual tax on the real property within the district subject to the limitations as provided in Section 12 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the board of supervisors of the Pickens Soil Conservation District, by notifying the county auditor.

SECTION 10. Issuance of bonds—referendum.—(a) Bonds authorized by Section 9 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 12 of this act. A copy of the order or resolution shall be certified to the board of supervisors of the Pickens Soil Conservation District.

(b) The board of supervisors of the Pickens Soil Conservation District shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the board of supervisors.

(c) The same provisions as to notice, qualification of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(d) If two-thirds of the votes cast in the referendum favor the proposal, the directors shall, with the approval of the board of supervisors, be authorized to issue the bonds.

SECTION 11. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties, as approved by the board of supervisors of the Pickens Soil Conservation District.

SECTION 12. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the board of supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 10 of this act. A copy of the budget shall be certified to the Auditor of Pickens County.

SECTION 13. Computation of tax.—(a) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved, showing the number of acres subject to assessment.

(b) When the property tax rolls are delivered to the county treasurer by the auditor, as required by law, the treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of

the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 14. Collection of taxes.—(a) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(b) Such taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 15. Proceeds.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of the funds shall be made by the directors of the watershed conservation district with the approval of the board of supervisors of the Pickens Soil Conservation District.

SECTION 16. Petition to have lands detached.—The owner or owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the board of supervisors of the Pickens Soil Conservation District to have such lands detached. The petition shall describe the lands and state the reasons why they should be detached. A hearing shall be held by the board of supervisors within thirty days after the petition is filed. Due notice of such hearing shall be given by the board of supervisors of the Pickens Soil Conservation District. If it is determined by the board of supervisors that the lands should be detached, its determination shall be certified to the Auditor of Pickens County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 17. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(a) At any time after five years after the organization of the watershed conservation district, twenty-five or more landowners within the district, or if less than fifty landowners are involved, a majority of the landowners, may file a petition with the board of supervisors of the Pickens Soil Conservation District asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been

met. The board of supervisors may conduct such hearings upon the petition as may be necessary to assist it in the consideration thereof.

(b) Within sixty days after the petition has been filed with the board of supervisors it shall give due notice of the holding of a referendum. The board of supervisors shall hold such referendum substantially as provided in Section 10 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Crow Creek Watershed Conservation District" and "Against terminating the existence of the Crow Creek Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of the watershed conservation district. All landowners within the watershed conservation district shall be eligible to vote in the referendum. Only landowners shall be eligible to vote. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof, if notice thereof shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(c) The board of supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the board of supervisors determines that the continued operation of the watershed conservation district is administratively practicable and feasible, it shall record such determination and deny the petition. If the board of supervisors determines that the continued operation of the watershed conservation district is not administratively practicable and feasible, it shall record such determination and shall certify its determination to the directors of the watershed conservation district; *provided*, the board of supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(d) Upon receipt from the board of supervisors of a certification that it has determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Pickens County for recording. After

being recorded, the certification shall be filed with the State Soil Conservation Committee and the Secretary of State.

SECTION 18. Supervisory authority if soil conservation district discontinued.—If the Pickens Soil Conservation District in which the watershed conservation district is situated is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the board of supervisors of such Pickens Soil Conservation District shall thereafter be exercised by the governing body of Pickens County.

SECTION 19. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1258, H2734)

No. 1196

An Act To Provide For The Levy Of Taxes In Pickens County For County And School Purposes For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, And To Direct The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of so many mills as are necessary is hereby levied on all taxable property in Pickens County, for county and school purposes, for the fiscal year beginning July 1, 1962, and ending June 30, 1963, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appropriated. After deducting the expected revenues herein stated, such millage shall be determined by the Pickens County Auditor, subject to the approval of a majority of the Pickens County Legislative Delegation. *Provided*, the ordinary county tax millage shall be set at a time different from that at which the school tax levy is set by the auditor upon recommendation of a majority of the members of the Board of Trustees of Pickens County School District A.

Item 1. Roads and Bridges, Cross-county Roads, etc.:

A. Maintenance, Roads and Bridges and County
Farm\$236,000.00
Provided, that not more than \$35,000.00 of the
above sum shall be expended within the incor-

porated municipalities upon recommendation of the Pickens County Municipal Association and approval of a majority of the legislative delegation. *Provided*, further, that not to exceed \$40,000.00 of the above sum may be expended prior to July 1, 1962, upon the approval of a majority of the legislative delegation. *Provided*, further, that from the above sum an amount not to exceed \$5,000.00 shall be expended for purchase and installation of signs at road intersections. *Provided*, further, that when this appropriation is expended no additional funds will be available until July 1, 1963. *Provided*, further, that a ten per cent raise shall be given to all employees paid under this item.

- B. New machinery to be purchased on prior written approval of a majority of the Pickens County Legislative Delegation 25,000.00
- C. No money, labor or material shall be expended, performed or used by Pickens County in the construction or improvement of any street or road in any subdivision, or property to be subdivided, owned by any person, firm or corporation until the requirements and rules promulgated or to be promulgated by the Pickens County Board of Commissioners are complied with; such compliance shall be a condition precedent before such money, labor or material is expended, performed or used.

Total, Item 1 \$261,000.00

Item 2. County Officers, Salaries and Expenses:

- A. Clerk of Court \$ 6,000.00
- A-1. Deputy Clerk of Court 3,522.00
- A-2. Clerk 3,228.00
- A-3. Assistant Clerk 2,640.00

Provided, that the Clerk of Court may designate the persons to fill the offices listed as A-1, A-2 and A-3 hereinabove and such designations shall be filed in writing with the Pickens County Board of Commissioners.

B. Supervisor's Salary	6,000.00
<i>Provided</i> , the Supervisor is allowed to use the gas and oil of the county for his car when necessary for county business.	
B-1. Clerk to Supervisor and County Commissioners	4,000.00
B-2. Assistant Clerk	2,640.00
C. Two County Commissioners	4,000.00
D. Coroner	1,334.00
D-1. Travel for Coroner	240.00
E. County Attorney	1,000.00
F. County Physician	1,000.00
G. County Auditor	2,502.00
<i>Provided</i> , the salary of the County Auditor shall not exceed the sum of \$6,000.00.	
G-1. Clerk for Auditor	2,640.00
G-2. Assistant Clerk for Auditor and Treasurer	2,180.00
G-3. Mileage for Auditor	400.00
H. County Treasurer	2,502.00
<i>Provided</i> , the salary of the County Treasurer shall not exceed the sum of \$6,000.00.	
<i>Provided</i> , further, that a notice shall be sent to every taxpayer when county ordinary taxes or county school taxes are increased. Such notice shall state the purpose and method of such increase.	
H-1. Clerk for Treasurer	3,200.00
I. County Sheriff	6,000.00
I-1. Ten Deputy Sheriffs	41,052.00
<i>Provided</i> , the above deputy sheriffs shall perform duties at the county jail as directed and scheduled by the county sheriff. <i>Provided</i> , further, that the sheriff shall provide police protection for Pickens County twenty-four hours per day; such protection to be evidenced by deputies on active duty for such period through assignation by the sheriff.	
I-2. Travel expenses for Sheriff and Deputies	9,300.00
<i>Provided</i> , gasoline shall be furnished by the county.	
I-3. Maintenance of Automobiles—Sheriff's Department	5,000.00

Provided, two thousand dollars of the above amount, if so much be needed, shall be used for the purchase of a new automobile upon the prior approval of a majority of the Pickens County Legislative Delegation.

I-4. Uniforms for Sheriff and Deputies 2,400.00

Provided, uniforms shall be purchased from the Pickens County firm offering the lowest bid price; *provided*, further, such bids shall be taken and contract awarded annually by the Board of Commissioners prior to expenditure of this appropriation.

I-5. Five mill deputies at \$55.00 per month, to be appointed by the Sheriff and provided by the Sheriff with such duties of his office as they may be able to perform within the limits of the compensation they shall receive hereinabove 3,300.00

I-6. Maintenance of Radio System for Sheriff's Department 500.00

J. Probate Judge 6,000.00

J-1. Clerical Help 2,640.00

K. Tax Collector 3,800.00

K-1. Clerical Help for Tax Collector 1,200.00

K-2. Mileage for Tax Collector 350.00

L. Service Officer 4,610.00

L-1. Secretary 2,640.00

L-2. Travel 600.00

N. Magistrates:

N-1. Easley 3,030.00

N-2. Pickens 2,668.00

N-3. Liberty 2,183.00

N-4. Central 2,183.00

N-5. Six Mile 660.00

N-6. Magistrates' Constables, Salaries:

(a) Liberty 610.00

(b) Central 430.00

(c) Easley 2,080.00

Provided, the Easley constable shall devote full time to the duties of this office.

N-7. Magistrates' Constables—Fees and Mileage ... 1,200.00

O.	Caretaker, County Home	3,434.00
O-1.	Travel, County Home Caretaker	150.00
	<i>Provided</i> , County Home Caretaker shall receive nine cents per mile actually traveled in the scope of his employment to be paid by Board of Commissioners upon receipt of duly verified claim, not to exceed the amount herein provided.	
O-2.	Cook for County Home	1,200.00
	Total, Item 2	\$158,248.00
Item 3.	County Boards:	
A.	Board of Equalization	\$ 500.00
B.	Board of Registration	500.00
	Total, Item 3	\$ 1,000.00
Item 4.	Court Expenses, Jurors, Witnesses, etc.:	
A.	Jurors and Witnesses	\$ 8,000.00
	<i>Provided</i> , the Clerk of Court shall select not more than three qualified bailiffs to be in attendance at terms of Court of General Sessions and Common Pleas.	
B.	Expense, Stenographer, 13th Judicial Circuit ..	310.00
B-1.	Travel Expense, Solicitor, 13th Judicial Circuit.	310.00
B-2.	Expense, Secretary to Resident Judge	310.00
C.	Post Mortems, Inquests and Lunacies	500.00
D.	Jurors for Coroner's Inquests	50.00
E.	Stenographer at Inquests	150.00
	Total, Item 4	\$ 9,630.00
Item 5.	County Home and Feeding Prisoners:	
A.	County Jail	\$ 5,000.00
B.	County Home	6,000.00
C.	Transporting Prisoners	400.00
	Total, Item 5	\$ 11,400.00
Item 6.	Public Buildings:	
A.	Water, Lights, and Insurance	\$ 6,000.00
	<i>Provided</i> , insurance against liability by reason of explosion of boilers in the various county buildings and insurance against liability on county vehicles shall be purchased.	

B. Telephone and Telegraph	5,000.00
C. Fuel	2,500.00
D. Janitor Service and Supplies	5,000.00
<i>Provided</i> , the Board of Commissioners shall employ such person or persons as may be necessary and provide the supplies to maintain the county buildings in a clean and sanitary condition.	
E. Printing, Postage, and Stationery	12,000.00
F. Repairs on Public Buildings	2,000.00
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Total, Item 6	\$ 32,500.00
Item 7. Miscellaneous:	
A. Bond Premium, County Officers	\$ 850.00
B. County Library	18,125.00
<i>Provided</i> , that a ten per cent raise shall be given to all library employees paid under above item.	
C. Compensation insurance premium	2,500.00
D. Annual Audit of County Books	2,000.00
E. Contingent Fund, to be expended upon the written approval of a majority of the Pickens County Legislative Delegation	7,000.00
<i>Provided</i> , the Pickens County Rabies Control Program shall be paid from this item. <i>Provided</i> , further, that said program is under the supervision of the Pickens County Board of Health.	
F. County's part, Employees' Retirement Fund...	13,000.00
G. Mileage, Pickens County Fire Control Wardens (three @ \$30.00 per month each)	1,080.00
H. Adult Education Program	2,000.00
<i>Provided</i> , that such program shall be approved by the Pickens County Legislative Delegation.	
I. Maintenance of Watershed Projects	1,000.00
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Total, Item 7	\$ 47,555.00
Item 8. Farm Demonstration:	
A. 4-H Club, Boys	\$ 200.00
B. 4-H Club, Girls	200.00
C. F.F.A.	200.00
D. Supplies for Home Agent	100.00
E. Clerical Help for County Agent's Office	500.00
F. Supplement to Salary of County Farm Agent ..	350.00

G.	Supplement to Salary of Assistant County Farm Agent	250.00
G-1.	Supplement to Salary of Assistant County Farm Agent	250.00
H.	Supplement to Salary of County Home Demonstration Agent	250.00
I.	Supplement to Salary of Assistant County Home Demonstration Agent	250.00
<i>Provided</i> , that the sums appropriated in subitems F, G, G-1, H, and I shall be paid in equal quarterly payments.		
Total, Item 8		\$ 2,550.00
Item 9.	Pickens County Department of Public Welfare:	
A.	Emergency Relief (to prospective clients)	\$ 3,000.00
B.	Child Welfare (Mileage)	1,188.00
C.	Foster Board Care	800.00
D.	Special Services (Lunches for Child Welfare and other clients when taken out of county on all-day trips)	200.00
E.	Pickens County Board of Public Welfare, at \$200.00 per annum per member	600.00
<i>Provided</i> , that the amount in Item 9A hereinabove shall be spent in accordance with written regulations promulgated by the Pickens County Board of Public Welfare.		
F.	General Fund	500.00
Total, Item 9		\$ 6,288.00
Item 10.	Pickens County Health Department:	
A.	Burial of Paupers	\$ 600.00
B.	Pickens County Health Unit	19,975.00
<i>Provided</i> , that all moneys expended from this appropriation, together with such funds as may be contributed by the State and Federal Governments for the operation of the County Health Unit, shall be in accordance with a budget filed with and approved in advance of such expenditures by a majority of the Pickens County Legislative Delegation.		

C. Mental Health Clinic

Provided, that an appropriate amount upon approval by a majority of the Pickens County Legislative Delegation may be expended for Pickens County participation in a Regional Mental Health Program if such a program is instituted and gains the approval of the South Carolina Mental Health Commission.

Total, Item 10 \$ 20,575.00

Item 11. National Defense:

A. Easley Unit \$ 1,100.00

B. Clemson Unit 300.00

C. Civil Defense 2,400.00

Provided, that the above amount shall be expended only on the approval of a majority of the County Legislative Delegation.

Total, Item 11 \$ 3,800.00

Item 12. County Cooperative Breeding Association .. \$ 1,800.00

Provided, that not to exceed \$150.00 per month shall be paid from this appropriation by the county treasurer on an itemized statement of the officers of the association.

Total, Item 12 \$ 1,800.00

Item 13. Pickens County Charity Hospital Funds \$ 20,000.00

Provided, that no moneys are to be expended until a definite rate per day be established and approved by a majority of the Pickens County Legislative Delegation, and be filed in writing with the County Board of Commissioners. *Provided*, further, that the above sum shall be regulated, supervised and administered by the Pickens County Board of Public Welfare. *Provided*, further, that the costs and expenditures for hospitalization and administration shall not exceed the above sum and no appropriation for administration or hospitalization shall be made when these funds are expended.

13-A. Reimbursement to the County General Fund for
moneys withheld under Act 393 of 1961 for
charity hospitalization 23,015.00

Total, Item 13\$ 43,015.00

GRAND TOTAL\$599,361.00

Less Estimated Revenues—Other than Taxes:

Magistrates—Fines and Fees\$ 50,000.00
From the Probate Judge 2,000.00
From the Clerk of Court 50,000.00
From the County Supervisor 10,000.00
From the Sheriff 1,000.00
From the Tax Collector 25,000.00
From the Wine and Beer Tax 10,000.00
Liquor Tax 35,000.00
Gas Tax 160,000.00
Income Tax 50,000.00
From Insurance License Fees 20,000.00
Tax from Banks 6,000.00
State Contribution for Service Officer 4,500.00

Total\$423,500.00

Total amount to be raised by taxes\$175,861.00

SECTION 2. The county board of commissioners is hereby authorized and directed to publish quarterly statements in the three Pickens County newspapers. They shall publish only the amount appropriated and the unexpended balance of each item.

SECTION 3. No bills or claims against Pickens County for supplies purchased or services rendered shall be approved by the supervisor and the county commissioners, except in meeting assembled. No such bills or claims shall be approved for payment and no vouchers shall be issued for same unless such bills or claims are properly itemized showing the supplies or articles purchased, and the services rendered, with the proper dates of such purchases and of rendering of such services and duties.

SECTION 4. Transfer from one item to another may be made only upon the written approval of a majority of the Pickens County Leg-

islative Delegation, and they shall have power and authority to provide for and add to the appropriation herein made any sum sufficient to take care of any deficit which may prove to exist from the maintenance of the costs of the county government during the year 1962-63.

SECTION 5. The auditor and the treasurer, with the approval of a majority of the Pickens County Legislative Delegation, are hereby authorized and empowered to increase the general levy above provided to meet the appropriations made.

SECTION 6. There is hereby levied four mills for interest and a sinking fund on county bonds.

SECTION 7. Magistrates' constables for whom salaries are appropriated shall be appointed by the magistrates in the respective townships. The duties of magistrates' constables at Pickens and Six Mile shall be performed by the sheriff and his deputies.

SECTION 8. The Auditor of Pickens County shall levy a sufficient number of mills, or fraction thereof, to raise the sums necessary to operate the public schools of the school district of Pickens County in accordance with a budget to be prepared and presented to him by a majority of the trustees of the school district. Such budget shall include the necessary sums for payment of the share of this county of the compensation of the agriculture teachers in the school system, and the trustees are authorized to expend such sums from the amount appropriated in their budget for that purpose. The school tax levy shall be set at a time not less than one week after the ordinary county tax levy is set. The school tax millage shall be within the statutory limitation.

SECTION 9. The annual compensation of each member of the Board of Trustees of Pickens County School District A and of each member of the county board of education is hereby fixed at twenty-five dollars. The sum necessary to pay the compensation herein prescribed shall be expended from the educational funds of the county.

SECTION 10. Any sum appropriated under the provisions of this act for salaries shall lapse upon the discharge, death, removal or resignation of the officer or employee to whom the appropriation applies, or by vacancy, however created, of the office to which such appropriation applies, and any employee or officer succeeding such employee or officer shall be paid at a compensation to be fixed in

writing by a majority of the legislative delegation, and filed with the county board of commissioners.

SECTION 11. All county officials, authorized to disburse funds designated in the county appropriations act, are instructed to expend no funds in excess of amounts appropriated without the written approval of a majority of the county legislative delegation, and thereby avoid violation of Section 14-315, Code of Laws of South Carolina, 1952.

SECTION 12. A section of the county jail shall be reserved and set apart to be used for quartering offenders of sixteen years of age or less.

SECTION 13. The Treasurer of Pickens County is authorized to pay to the probation officer who has jurisdiction over Pickens County such sums as are necessary for compensation for additional duties in the investigation of cases in which persons under the age of eighteen years are charged with criminal offenses, upon the authorization of a majority of the legislative delegation. The probation officer shall make a complete report with his recommendations, to the magistrate or circuit court having jurisdiction of the cases involving these persons.

SECTION 14. When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within the county whenever such firms or individuals are reliable and offer equipment, material, goods, wares, merchandise or services of equal quality and specifications with like goods from outside the county and at a price equal to or less than the price submitted by such nonresident bidders.

SECTION 15. No salary shall be paid under the provisions of this act until such employee, as affected, shall have complied with all requirements of the State Retirement Act with regard to any fees collected that are covered under the Social Security Law, such determination of amounts due to be certified to Pickens County by the State Director of the Retirement System.

SECTION 16. The following salary schedule shall be followed with reference to full time clerical help who are employed under the provisions of this act:

Probationary salary for first six months, \$165.00 per month
Salary for next successive 12 months, \$2,180.00
Salary at end of 18 months, \$2,400.00

Having reached the salary of \$2,400.00 such employees shall participate in the normal raises given other employees under the provisions of the county appropriations act. However, a full year shall elapse before a raise is given above \$2,400.00.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1263, S702)

No. 1197

An Act To Authorize The State Highway Department To Perform Certain Construction Near Certain Schools In Pickens County And To Provide For The Payment Thereof.

Whereas, Pickens County is constructing a new junior high school in Easley and a new elementary school in Pickens; and

Whereas, adequate sidewalks and improved streets are necessary to provide safe access to these facilities; and

Whereas, the Pickens County School District A Board of Trustees has, by resolution dated February 26, 1962, requested the hereinafter described sidewalk and road construction in and around the municipalities of Easley and Pickens, in Pickens County. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County—Highway Department may construct road.—The State Highway Department is authorized to construct the following roads and sidewalks in and around the municipalities of Easley and Pickens, in Pickens County :

(a) In and around Easley :

1. Sidewalk from Orander's Service Station to Stewart Drive;
2. Sidewalk on Stewart Drive; and
3. Extend and improve Stewart Drive to Bypass 123.

(b) In and around Pickens :

1. Improve Hampton Street Extension and construct sidewalk;
2. Improve Lewis Street Extension;
3. Construct new road beginning at Lewis Street Extension extending one and one-tenth mile across Wolfe Creek to where it intersects with Bethlehem Ridge Road in accord-

ance with survey location previously made by the State Highway Department; and

4. Improve street and construct sidewalk from the grammar school on Hampton Street Extension to U. S. 178.

SECTION 2. Cost.—The cost of the construction provided for by this act shall be charged to funds accruing to Pickens County under the State Farm to Market Highway Program.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R683, S437)

No. 1198

An Act To Repeal Act No. 1091 Of The Acts And Joint Resolutions Of South Carolina, 1956, Relating To The Creation Of The Leesburg Water District In Richland County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 1091 of 1956 repealed.—Act No. 1091, Acts and Joint Resolutions of South Carolina, 1956, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R693, H2054)

No. 1199

An Act To Authorize The Board Of Trustees Of School District No. 2 Of Richland County To Issue Not Exceeding One Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The School District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For Repayment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the continued growth of the population in School District No. 2 of Richland County makes it mandatory that additional public school facilities be provided for the district, and that the cost, to be borne by the district, should be raised by an issue of general obligation bonds. The General Assembly has, therefore, determined to empower the Board of Trustees of School District No. 2 of Richland County, (hereinafter called the "School Trustees") to provide additional public school facilities for the district and raise therefor the sum of one hundred fifty thousand dollars through the sale of the bonds authorized by this act.

SECTION 2. Richland County School District 2 may issue bonds.—The School Trustees are hereby authorized and empowered to issue general obligation bonds of School District No. 2 of Richland County in the aggregate principal amount of not exceeding one hundred fifty thousand dollars and to apply the proceeds of such bonds to the purposes prescribed by this act.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the School Trustees shall provide, except that the first maturing bonds of any issue shall mature not later than three years from the date as of which they shall be issued; not less than two per cent of any issue shall mature in any year; and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the School Trustees, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice that must be given.

SECTION 5. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Richland County, upon such condition as the School Trustees may prescribe. Except when so registered, all bonds shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable—interest.—The bonds shall be made payable at such places, within or without the State, as the School Trustees shall prescribe, and shall bear such interest as may be determined by the School Trustees.

SECTION 7. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the School Trustees shall by resolution prescribe.

SECTION 8. Sale.—The bonds shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale, after public advertisement of the sale in a newspaper of general circulation in South Carolina. In such event the published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 9. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of School District No. 2 of Richland County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Richland County, and collected by the Treasurer of Richland County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 10. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 11. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Richland County, to be deposited in a Bond Account Fund for the school district, and shall be expended and made use of by the School Trustees as follows:

- (a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.
- (b) Any premium shall be applied to the payment of the first installment of principal of such bonds.
- (c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to pay costs to be

incurred in the constructing and equipping of additional public school facilities in the school district.

(d) If any balance remains, it shall be held by the Treasurer of Richland County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 12. Powers of trustees.—The powers and authorizations hereby conferred upon the School Trustees shall be in addition to all other powers and authorizations previously vested in the School Trustees.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of January, 1962.

(R722, H2091)

No. 1200

An Act To Transfer To Richland County That Portion Of Washington Street Lying Between The West Boundary Of Pulaski Street And The East Boundary Of Huger Street And To Authorize Richland County To Abandon Such Portion Of Washington Street For The Use Of The Public As A Public Street Or Highway.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Portion of Washington Street transferred to Richland County—abandonment of.—The State of South Carolina hereby transfers to Richland County that portion of Washington Street in the City of Columbia between the west boundary of Pulaski Street and the east boundary of Huger Street upon the purchase by Richland County of the land adjoining such portion of the street on the north and on the south. This parcel of land is hereby abandoned as a street or highway for the use of the public and the use by Richland County shall not be limited by any prior use or any use heretofore made of it as a public street or highway.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R747, H2163)

No. 1201**An Act To Validate A Certain Obligation Of Richland County In The Amount Of Fifty Thousand Dollars And To Provide For The Payment Of Such Obligation.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Obligation of Richland County validated.—The General Assembly finds that prior to this enactment the Treasurer and governing body of Richland County borrowed fifty thousand dollars from the Division of Sinking Funds and Property evidenced by a note dated November 24, 1961, payable in five, equal, successive, annual installments with interest thereon at the rate of four per cent per annum. The General Assembly ratifies, approves and confirms the above obligation incurred on behalf of Richland County and declares the obligation to be legal, valid and binding upon Richland County; *provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Richland County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of Richland County are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R823, H2310)

No. 1202

An Act To Authorize The Treasurer Of Richland County To Borrow A Sum Of Money For The Purchase Of A Jail Site And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County may borrow money for jail site.—The treasurer of Richland County is hereby authorized, upon approval by a majority of the county legislative delegation, including the senator, to borrow for the procurement of a jail site a sum not exceeding forty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the treasurer of Richland County. The note or notes shall bear interest at not exceeding four per cent per annum from the date thereof and shall be payable in four successive, equal annual installments. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes the auditor of Richland County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1962.

(R957, H2426)

No. 1203

An Act To Amend Act 1114 Of 1960, Creating Jackson-Gills Creek Public Service District In Richland County, So As To Provide For Notice And Hearings Before Charges Imposed For Sewer Services May Become a Lien on Property; To Redefine The Territorial Limits Of The District; And To Declare That No Further Election Shall Be Required As A Condition Precedent To The Issuance Of General Obligation Bonds Of The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 1114 of 1960 amended—Jackson-Gills Creek Public Service District created in Richland County—area.—Section 2 of Act 1114 of 1960 is amended by striking it out and inserting in lieu thereof the following :

“Section 2. There is hereby created and established in Richland County a special purpose district to be known as ‘Jackson-Gills Creek Public Service District’, which district shall be a public corporation of perpetual succession, and shall have the area and functions prescribed by this act and any subsequent act, amendatory thereof. The district shall include and be comprised of that area of Richland County described as follows :

Beginning at the northwestern corner of the Town of Forest Acres, thence along the northern boundary of Forest Acres in an easterly direction to the intersection of the City of Columbia city limits and the Town of Forest Acres city limits; thence in a northerly direction along the eastern side of Dalloz Road and crossing Travis Court; thence in an easterly direction along the northern side of Travis Court for a distance of 487 feet, more or less; thence in a northerly direction along the eastern side of a lot facing Travis Court for a distance of 155 feet, more or less; thence in a continuation of the aforementioned line along the eastern side of two lots facing on Dalloz Road a distance of 155.8 feet, more or less, to the southern right-of-way of Covenant Road; thence in a continuation of the aforementioned line to the northern right-of-way of Covenant Road; thence in a westerly direction along the northern right-of-way of Covenant Road to a point 219.5 feet, more or less, east of the northeast corner of the intersection of Covenant Road and Chinaberry Drive; thence in a northerly direction along the rear property line of the lots east of and facing Chinaberry Drive

for a distance of 1,260 feet, more or less; thence in a northeasterly direction along a creek to the intersecting point of another creek; thence in a northerly direction along said intersecting creek to a point on the rear or eastern property line of lots facing on Wolf Circle; thence in a northerly direction for a distance of 215 feet, more or less, along said rear property line; thence in a northeasterly direction along the rear or southeastern side of lots facing on Fox Hall Road for a distance of 205 feet, more or less; thence in a northeasterly direction along the rear or southern sides of lots facing Fox Hall Road for a distance of 345.8 feet, more or less, to the western right-of-way of Bethel Church Road; thence in a northeasterly direction along the western right-of-way of Bethel Church Road to the southeastern corner of the intersection of Bethel Church Road and Fox Hall Road; thence in a northwesterly and westerly direction along the southern right-of-way of Fox Hall Road for a distance of 291.7 feet, more or less, to the center line of the right-of-way of the long distance transmission line of the AT&T Company; thence in a northern direction along the center line of said AT&T Company right-of-way for a distance of 450 feet, more or less, to the northern right-of-way of Deerfield Drive extended; thence in a westerly direction across Wheeler Road and along the northern right-of-way of Deerfield Road; thence in a southwesterly direction along the northwestern right-of-way of Deerfield Road for a distance of 530 feet, more or less, to the eastern side of a creek; thence northerly along the eastern side of said creek for a distance of 160 feet, more or less; thence in southwestern, northwestern and northerly directions along the rear property line of the lots on the north and east of Deerfield Road to the southeastern right-of-way of Pine Belt Road; thence northwesterly by extension of the aforementioned line across Pine Belt Road to the northeastern right-of-way of Pine Belt Road; thence in a southwesterly direction along the western right-of-way of Pine Belt Road to the northwest corner of the intersection of Pine Belt Road and Carter Street; thence in a northwesterly direction along the northern right-of-way of Carter Street to the southern right-of-way of U.S. Highway No. 1 (Two Notch Road); thence in an easterly direction along the southern right-of-way of U.S. Highway No. 1 to the inter-

section of this line with the southern right-of-way line of Baldwin Road; thence along this right-of-way line to its intersection with the eastern right-of-way of Cushman Drive extended; thence along the eastern right-of-way line of Cushman Drive in a northerly direction to Burton Street; thence along the center line of Burton Street in a northerly direction to the center line of Oscar Street; thence along the center line of Oscar Street in an easterly direction to the center line of Roscoe Street; thence in a northerly direction along the center line of Roscoe Street for a distance of approximately 500 feet; thence in a northerly direction in a line parallel to and 1,000 feet, more or less, south of the center line of the Southern Railway to Sprott Street extension; thence in a northeasterly direction for a distance of 2,000 feet, more or less, to a point 200 feet north of the intersection of June Drive and Birdsong Drive; thence in a line 200 feet north of and parallel to Birdsong Drive to its intersection with Hearn Drive; thence in a northeasterly direction for a distance of 10,000 feet, more or less, to its intersection with the right-of-way of the Southern Railway near and south of the intersection of State Road 33 and Sate Highway 555; thence extending generally along the eastern side of said Southern Railway right-of-way for a distance of approximately 9,500 feet, more or less, to a point 200 feet north of the northern right-of-way of State Road 83; thence extending in a northeasterly direction parallel to and 200 feet distant from the northern right-of-way of State Road 83 to a point 200 feet north of its intersection with the right-of-way of the Pilgrim Holiness Church Road; thence extending generally in an easterly direction 200 feet distant from and parallel to the northern right-of-way of the Pilgrim Holiness Church Road to a point 200 feet distant from its intersection with the northern right-of-way of S. C. Road 1274; thence along a line 200 feet distant from and parallel to, in a generally southeastern direction to its intersection with the northern right-of-way of the Seaboard Air Line Railroad; thence extending along said Seaboard Air Line Railroad right-of-way to a point of intersection with the extension of a boundary line of Sesquicentennial State Park (said boundary line being the northwestern line of contact with U. S. Highway No. 1); thence extending along the northwestern boundary of Sesquicentennial

State Park, in a generally southwesterly direction to a point 200 feet northeast of its intersection with the right-of-way of State Road No. 63; thence extending generally in a southeasterly direction along and parallel to and 200 feet on the northeast side of said State Road No. 63 to its intersection with the southern right-of-way of Percival Road (S.C. Highway No. 12) (this being the northwestern boundary of Fort Jackson); thence along the boundary of Fort Jackson in a southwestern direction to its intersection with the center line of Forest Drive; thence in a westerly direction along the center line of Forest Drive to its intersection with the eastern city limits of the Town of Forest Acres; thence along the eastern and southern and western boundaries of Forest Acres to the point of beginning.

As soon as convenient, and prior to the occasion set for the holding of the special election herein authorized, a plat of the District shall be prepared, and copies thereof shall be filed in the offices of the Auditor, the Treasurer and the Clerk of Court for Richland County."

SECTION 2. Paragraph 11 of Section 4 of Act 1114 of 1960 amended—powers and duties.—Paragraph 11 of Section 4 of Act 1114 of 1960 is amended by striking it out and inserting in lieu thereof of the following:

"11. To impose such schedule of fees, rates and charges for sewer connection and for sewage disposal service as the commission shall from time to time approve. To that end the commission shall be empowered to place into effect, and to revise whenever it so wishes or may be so required, a schedule of fees, rates and charges for the sewage disposal facilities made available by it to persons, firms or corporations within the district. Prior to the making of any sewer connection or the furnishing of any sewage disposal service for which the prescribed fee, rate or charge shall, pursuant to Section 9 of this act, become a lien on the property affected, and prior to any subsequent increase in any such fee, rate, or charge, not less than ten days' written notice shall be given to each affected property owner, notifying him of the nature and quantum of the charge, and providing such property owner an opportunity, if desired and requested, to appear and be heard in person, or by counsel, before the commission. Following such hearing, if such be requested and held, action shall be taken by the commission, and notice of its decision shall be given to the property owner concerned, or his counsel,

as the case may be, not less than ten days prior to the effective date of the fee, rate or charge. Any property owner aggrieved by the action of the commission may proceed by certiorari in the Court of Common Pleas for Richland County to have such court review the action taken by the commission, at which time the court shall determine the validity and reasonableness of the charge so made."

SECTION 3. Section 9 of Act 1114 of 1960 amended—past due accounts to constitute liens.—Section 9 of Act 1114 of 1960 is amended by striking it out and inserting in lieu thereof the following: "Section 9. If the notice or notices prescribed by paragraph 11 of Section 4 shall have been given and any hearing requested pursuant thereto shall have been held, all tapping fees, service charges, and other charges duly imposed by the commission under authority of this act and not paid when due and payable, shall be and constitute a lien upon the real estate to which the sewage service concerned relates, so long as the fees or charges remain unpaid. In addition to such other rights and remedies as may be available to the commission in law or equity for collection of the fees and charges, the lien may be enforced by the commission in the same manner and fashion as the lien of property taxes upon real estate."

SECTION 4. Findings of General Assembly.—The General Assembly finds that pursuant to Act 1114 of 1960 an election was held in the district on the eighteenth day of April, 1961, resulting favorably to the issuance of bonds by a vote of one thousand and seventeen to three hundred and seven. The General Assembly concludes that the election and the result satisfactorily dispose of the condition precedent imposed by Act 1114 of 1960 to the issuance of general obligation bonds of Jackson-Gills Creek Public Service District. It, therefore specifically declares that, notwithstanding the redefining of the territorial limits of the district as hereinabove set out, no further election is required pursuant to the conditions of the act.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R968, H2487)

No. 1204

A Joint Resolution Proposing An Amendment To Sections 5 And 6 Of Article X Of The Constitution Relating To The Purposes And Extent Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Provide That The Limitations Therein Contained Shall Not Apply To Bonded Indebtedness Incurred By Richland County For The Purpose Of Erecting And Improving A Civic Center, Including A Public Auditorium, A Public Coliseum, And Related Buildings And Facilities.

Whereas, the General Assembly proposes to authorize Richland County to construct and operate a civic center, including a public auditorium, a public coliseum and related facilities designed for educational and cultural purposes, and other buildings and facilities designed to disseminate scientific knowledge through the exhibition of agricultural, commercial and educational projects, by legislation enacted in pari materia, and at a cost which would involve the incurring of bonded debt by Richland County in excess of that permitted by Section 5 of Article X; and

Whereas, while it is apparent that the decisions of the Supreme Court of South Carolina construing Section 6 of Article X would permit the incurring of bonded debt by Richland County for such purposes, viz., *Cothran vs. Mallory*, 211 S. C. 387, 45 SE 2d 599, and *Powell vs. Thomas*, 214 S. C. 376, 52 SE 2d 782, it is desirable that all questions with respect to the propriety of the purpose for which such bonded debt may from time to time hereafter be incurred be removed; and

Whereas, it is intended that on each occasion that bonded debt be incurred for such purpose, the question of incurring such debt shall be submitted to the qualified electors of Richland County in a special or general election, and that no bonded debt be incurred for such purpose unless the applicable vote thereon be favorable; and

Whereas, it is further intended that the question of the issuance of the first bonds for such purpose be submitted to the qualified electors of Richland County in the general election to be held in November of 1962. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Richland County in erecting a civic center.—There is proposed the following amend-

ment to Sections 5 and 6 of Article X of the Constitution of this State, viz.:

"Provided, that the limitations imposed in Sections 5 and 6 of Article X of the Constitution of the State of South Carolina shall not apply to bonded indebtedness incurred by Richland County when the proceeds of any bonds issued by the county are applied exclusively to the purpose of erecting and improving a civic center, comprised of a public auditorium, a public coliseum, and related buildings and facilities, whenever the question of incurring any bonded indebtedness for such purpose shall have been submitted to the qualified electors of the county, and shall have been approved by a majority of those voting thereon, in any election or elections held subsequent to November 1, 1962; and bonded indebtedness of Richland County incurred for such purpose shall not be considered in determining the power of Richland County to incur other bonded indebtedness, nor shall it be considered in determining the power of any municipality, political division, or political subdivision covering or extending over the territory of Richland County, or portions thereof, to incur bonded indebtedness."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 and Section 6 of Article X of the Constitution of this State be amended so as not to apply to, and to exclude from the limitations of such sections, all bonded indebtedness incurred by Richland County for the purpose of erecting and improving a civic center, comprised of a public auditorium, a public coliseum, and related buildings and facilities, whenever the question of incurring bonded indebtedness for such purpose shall have been submitted to the qualified electors of the county, and shall have been approved by a majority of those voting thereon, in any election or elections held subsequent to November 1, 1962?"

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

(R982, H2527)

No. 1205**An Act To Authorize The Treasurer Of Richland County To Borrow A Sum Of Money To Employ An Architect To Study And Plan The New Jail And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County may borrow money—notes—execution—interest.—The Treasurer of Richland County is hereby authorized, upon approval by a majority of the county legislative delegation, including the senator, to borrow for the employment of an architect to study and plan the new Richland County jail a sum not exceeding thirty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Treasurer of Richland County. The note or notes shall bear interest at not exceeding four per cent per annum from the date thereof and shall be payable in three successive, equal annual installments. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes the auditor of Richland County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R997. S613)

No. 1206**An Act Authorizing The Treasurer Of Richland County To Lend Three Thousand Dollars To The Richland County Rural Recreation Commission And To Provide For The Repayment Thereof.**

Whereas, the Rural Recreation Commission of Richland County has agreed to have installed lights along the baseball field situated on the grammar school end of Crayton school; and

Whereas, the commission has not as yet received any funds for acquisition of facilities or operation; and

Whereas, there is an urgent need for the installation of lights at such location due to the large number of boys who will benefit from the installation of the lights. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County Rural Recreation Commission may borrow money—payment.—The Treasurer of Richland County is authorized and directed to lend the Rural Recreation Commission of Richland County three thousand dollars. Such sum shall be repaid by the commission from the first funds it receives for acquisition and operational purposes.

SECTION 2. Notes—execution.—The treasurer shall prepare the necessary note evidencing such indebtedness which shall be signed by the chairman of the commission.

SECTION 3. Purpose.—The funds so loaned, or so much thereof as is necessary, shall be used for the purpose of installing lights on the baseball field situated on the grammar school end of Crayton School.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1107, H2597)

No. 1207

An Act To Authorize The Treasurer Of Richland County To Borrow A Sum Of Money For The Establishment Of A Technical Training Center And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County may borrow money—notes—execution—interest.—The Treasurer of Richland County is hereby authorized, upon approval by a majority of the county legislative delegation, including the Senator, to borrow for the establishment of a technical training center a sum not exceeding six hundred thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Treasurer of Richland County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in ten successive, equal annual installments. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes the Auditor of Richland County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1109, H2624)

No. 1208

An Act To Authorize The Governing Body Of Richland County And The Treasurer Of Richland County To Borrow A Sum Of Money To Be Used For Grading And Paving The County Industrial Site On Bluff Road In Richland County and To Provide For Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County may borrow money—notes—execution—interest.—The Governing Body of Richland County and the Treasurer of Richland County are hereby authorized to borrow for grading and paving the county industrial site on Bluff Road not exceeding one hundred thirty-five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Supervisor of Richland County and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, instalments. The borrower reserves the right to anticipate the payment of part or all of the loan on any instalment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Richland County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1151, H2725)

No. 1209

An Act To Create The Richland County Civic Center Commission And An Advisory Board Therefor; To Define The Functions And Powers Of Each; To Authorize The Commission To Issue General Obligation Bonds Of Richland County; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that it is in the public interest of Richland County that a civic center be established in the county on lands formerly owned by the South Carolina State Fair Association and more recently conveyed to the City of Columbia, subject to certain restrictions and reservations found not to be burdensome. The civic center is intended to consist of a public auditorium, a public coliseum, and related buildings, all of which can be utilized for educational, cultural and related purposes. It is recognized that such an establishment would involve an outlay of several million dollars, the exact amount not yet subject to ascertainment, and as a consequence, if the civic center is to be constructed it is necessary that a large expenditure of public moneys be made. The General Assembly takes note of the fact that there has been proposed by the present General Assembly an amendment to Sections 5 and 6 of Article X of the Constitution, which would (a) remove all question as to the propriety of the purpose of the undertaking; and (b) remove from the debt limitations in Section 5 of Article X bonds of Richland County to be issued for such purpose, whenever the question of the issuance of such bond shall have been presented to the qualified electors of Richland County and their approval shall have been obtained in any election held subsequent to November 1, 1962. The General Assembly has, therefore, determined:

(a) to create an agency of Richland County, herein denoted the Richland County Civic Center Commission, to construct and thereafter operate, maintain and improve an appropriate civic center; and

(b) to permit such agency to issue general obligation bonds of Richland County to the extent and under the conditions enumerated in Section 7 of this act.

SECTION 2. Richland County Civic Center Commission created—members—vacancy.—There is hereby created, as an agency of County Government of Richland County, a Commission to be known as the “Richland County Civic Center Commission”, hereinafter referred to as the “Commission”. The Commission shall consist of nine qualified registered electors of Richland County. All appointments to membership on the Commission shall be made by the Governor, upon the recommendation of a majority of the Richland County Legislative Delegation, including the Senator. Initial appointments shall be made as soon as convenient following the effective date of this act. Of those first appointed, three shall have a term of two years, three shall have a term of four years, and the remaining three shall have a term of six years. Terms of office shall begin as of the effective date of this act, or its appropriate anniversary, notwithstanding that any delay in making appointments shall lessen the duration of the terms of office. Upon the expiration of the terms of those initially appointed, successors shall be appointed in the same manner as original appointments for terms of six years. If any vacancy shall arise, the successors shall in like manner be appointed for the balance of the unexpired term. All members of the Commission shall hold office until their respective successors shall have been appointed and shall qualify.

As soon following the initial appointments as is convenient, the Commission shall organize by electing one of its members as chairman, another as vice chairman, and another as secretary. A transcript of the record of the initial organization shall be filed with the Clerk of Court for Richland County, in order to reflect the initial membership of the Commission and those who shall be officers thereof.

SECTION 3. Advisory board created—members.—For the purpose of advising the Commission in all phases of the construction and operation of the civic center and for the further purpose of making recommendations to the General Assembly as to the proper functioning of the facilities, there is hereby created an advisory board, to be known as the “Advisory Board of the Richland County Civic Center Commission”, hereinafter called the “Advisory Board”. The Advisory Board shall consist of three persons, and shall be those, who from time to time shall be the Mayor of the City of Columbia, the President of the University of South Carolina, and the President of the South Carolina State Fair Association. By reason of the natural interest of those who shall hold such offices in the proper functioning of the civic center, their appointment to office as members of the Advisory Board

is made ex officio. The Advisory Board shall meet and organize in such fashion as it shall deem appropriate, and shall be entitled to attend all meetings of the Commission, notwithstanding that no member thereof shall vote on any action to be taken by the Commission.

SECTION 4. Powers and duties.—The Commission shall be authorized and empowered to do all things necessary or convenient for the establishment, maintenance and improvement of an appropriate civic center, consisting of a public auditorium, a public coliseum, and other buildings and facilities designed to disseminate knowledge through the exhibition of cultural, scientific, educational and agricultural projects or exhibits, to be located on lands to be acquired from the City of Columbia, and without in any way limiting the generality of the foregoing, the Commission shall be empowered as follows:

- (1) To adopt and use a corporate seal;
- (2) To adopt, alter and amend such bylaws, rules and regulations for the conduct of its business, for the use of its facilities, and for the expenditure of its funds as to it from time to time may seem advisable;
- (3) To acquire from the City of Columbia, subject to the conditions and reservations herein referred to, the tract of land in Richland County acquired by the City of Columbia from the South Carolina Fair Association, and to utilize it as a site for the civic center. The acceptance by the Commission of the deed from the City of Columbia, subject to the conditions and reservations set forth in the deed from the South Carolina State Fair Association to the City of Columbia is specifically authorized, it having been found that the conditions therein imposed do not constitute any such burden or restriction as would prevent proper functioning of the civic center;
- (4) To acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property;
- (5) To accept gifts, grants, donations, devises and bequests;
- (6) To accept and expend grants of money to aid it in the constructing or improving of its civic center from all State or Federal agencies and from all political units of the State;
- (7) To employ such personnel as may be required for the proper functioning of the Commission in order to enable it to discharge the functions committed to it by this act;
- (8) To establish and promulgate reasonable rates for the use of its facilities under such conditions as to make it available, subject to

reasonable regulations, to the public of Richland County and the public generally. Such rates shall, to the extent practicable, be so designed as to provide adequate moneys with which to operate, maintain, and from time to time, improve the civic center;

(9) To promulgate reasonable regulations governing the use of its facilities;

(10) To expend revenues derived from the use of its facilities for the operation, maintenance and improvement thereof;

(11) To determine the fiscal year upon which the affairs of the Commission shall be conducted;

(12) To expend any funds received in any manner, including the proceeds derived from any issue of bonds herein authorized, to defray the costs incident to establishing, constructing, equipping and maintaining an appropriate civic center designed to accomplish the objectives of this act, including any costs involved in freeing the land to be used from any restrictions or discharging any contractual obligations;

(13) To apply to the Federal Government and any other governmental agency for grants of moneys to aid in planning, constructing and equipping the civic center, and to accept any such grants;

(14) To accept and expend any sums contributed by the State or any political units of the State, under such conditions as may be imposed upon such contributions, with the right of rejection thereof being hereby expressly conferred.

SECTION 5. Records—audit.—The Commission shall at all times keep full and accurate account of its actions and doings and of its receipts and expenditures, and at least once within four months, following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the audit shall be filed with the Clerk of Court for Richland County and with the Secretary of the Richland County Legislative Delegation.

SECTION 6. Report.—Not less frequently than annually the Advisory Board shall make a written report of the activities of the Commission, which shall include such recommendations, with respect to the functioning of the Commission, as shall to the Advisory Board seem appropriate. A copy of the report shall be filed with the Secretary of the Richland County Legislative Delegation.

SECTION 7. Bond issue authorized—conditions.—In order to provide funds from time to time, which shall be necessary for the

purpose of constructing, equipping and improving an appropriate civic center, the Commission is hereby authorized to issue general obligation bonds of Richland County under the following conditions:

(1) That no bonds shall be issued pursuant to this act, unless the proposal to amend Sections 5 and 6 of Article X of the Constitution, to be submitted to the qualified electors of South Carolina in the General Election to be held on November 6, 1962, shall have been approved, ratified and become a part of the Constitution of South Carolina.

(2) That no bonds shall be issued unless the question of their issuance, in an amount specified, shall be submitted to the qualified electors of Richland County in any special or general election held at any time subsequent to November 1, 1962, and the issuance of bonds in the amount specified shall be approved by a majority of those voting in such election.

(3) That the bonds issued and to be outstanding by the Commission on behalf of Richland County shall not exceed twelve per cent of the assessed value of all taxable property in Richland County on the occasion of their issuance, with appropriate deductions, if any, to be taken into account for sinking funds applicable to the requirement of principal of previous bonded debt.

SECTION 8. Referendum on issuance of bonds.—In order to determine the right to issue bonds of Richland County within the limits set forth in Section 7 of this act, the Commission is hereby authorized to order the submission of the question of the issuance of bonds at any special or general election held in Richland County subsequent to November 1, 1962, and to that end is authorized to fix the date for the holding of such election. Following action taken by the Commission in ordering an election, certified copies thereof shall be transmitted to the Commissioners of Election for Richland County, who are hereby authorized and directed to conduct an election on the question on the occasion fixed by the Commission. To that end the Commission is authorized to do all acts and things necessary for the holding of the election in the manner provided for by the provisions of the election law applicable to special elections, as modified by the provisions of this act, in order to insure that all persons who are residents in Richland County and who are qualified to vote under the Constitution and Laws of the State shall be permitted to vote thereon.

SECTION 9. Notice of election.—The Commission shall give notice of the holding of such election by causing a notice to be pub-

lished in one or more newspapers published in Richland County, on at least three occasions, the first of which is to be not more than twenty-one days, nor less than fifteen days, prior to the date set for the holding of the election. The notice shall state:

- (1) The occasion of the holding of the election;
- (2) The location of the several polling places throughout the county;
- (3) The qualifications imposed upon persons desirous of voting;
- (4) The amount of bonds to be issued; and
- (5) A brief description of the purpose for which the proceeds of the bonds are to be applied.

SECTION 10. Question.—The form of ballot to be used in any such election shall be substantially as follows:

Shall the Richland County Civic Center Commission be empowered to issue general obligation bonds of Richland County, in the principal amount of dollars, whose proceeds shall be used to defray costs incident to the construction or improving of the Richland County Civic Center?

YES ☐

NO ☐

In every instance the amount of bonds desired to be issued shall be inserted in the appropriate blank space and it shall be stated whether the bonds are to be issued for the initial construction of the civic center or for subsequent improvements. The ballot shall contain suitable instructions advising all those who may vote in the election upon the question so submitted that those in favor of issuing general obligation bonds of Richland County for the purpose of constructing or improving the Richland County Civic Center should place a check in the space opposite the word "YES", and that those who are opposed should place a check in the space opposite the word "NO".

SECTION 11. Results of election.—Upon the receipt of the returns of the election from the Commissioners of Election for Richland County, the Commission shall by resolution declare the results thereof and may provide for the filing of a certified copy of such resolution declaring the results of the election in the office of the Clerk of Court for Richland County. In such event the results of the election, as declared by resolution of the Commission so certified and filed, shall not be open to question except by suit or proceeding instituted within thirty days from the date of the filing thereof.

SECTION 12. Bond issue—maturity—dates.—All bonds issued pursuant to this act shall mature in such annual series or installments as the Commission shall provide, except that:

(1) The first maturing bonds shall mature within three years from the date as of which they may be issued;

(2) Not less than two per cent of the aggregate of any issue shall mature in any year; and

(3). No bond shall mature later than twenty-five years from the date as of which it may be issued.

Any bonds authorized by any election may be issued either as a single issue or from time to time as several separate issues.

SECTION 13. Redemption.—Any bond issued may be issued with a provision providing for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the Commission, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 14. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Richland County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Commission may prescribe. Unless registered, such bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 15. Payment.—The bonds shall be in such denominations and shall be payable at such places, within or without the State, as the Commission shall provide.

SECTION 16. Interest.—All bonds issued pursuant to this act shall bear interest at rates to be determined by the Commission.

SECTION 17. Execution.—The bonds and the coupons annexed thereto shall be executed in the manner provided for by the Commission.

SECTION 18. Sale.—The bonds shall be sold at public sale, after advertisement thereof in a newspaper having general circulation in the

State, or in a financial publication published in the City of New York, or, in the discretion of the Commission, in both such publications. The advertisement shall appear not less than ten days prior to the occasion set for such sale. The bonds may be disposed of at private sale if there are no bids received or if all bids are rejected. The provisions of this section shall not prevent a sale at private sale to the United States of America or any agency thereof.

SECTION 19. Sale—further.—All such bonds shall be sold at a price of not less than par and accrued interest to the date of delivery.

SECTION 20. Payment.—For the payment of the principal and interest on all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Richland County are irrevocably pledged, and there shall be levied annually by the county auditor and collected by the county treasurer, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in Richland County sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 21. Exempt from taxes.—Bonds issued pursuant to this act and all interest to become due thereon shall be exempt from all State, county, municipal, school district and other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 22. Proceeds.—The proceeds derived from the sale of any such bonds shall be deposited with the Treasurer of Richland County in a special fund to the credit of Richland County and shall be applied solely to the purposes for which the bonds were issued, except that the premium, if any, and the accrued interest, if any, shall be used to discharge in part the first interest to become due on the bonds.

SECTION 23. Saving clause.—If any section or part of this act shall be declared invalid or unconstitutional, such declaration shall not affect the validity of other sections or parts thereof.

SECTION 24. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 25. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1153; H2583)

No. 1210

An Act To Provide A Levy Of Taxes For Richland County For School And County Purposes For The Fiscal Year 1962-63 And To Direct The Expenditures Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied a tax of nine and one-half mills, if so much be necessary, on all taxable property in Richland County for ordinary county purposes, which together with all additional sums available for ordinary purposes, shall be used for the payment of the items hereinafter set forth. *Provided*, that all salaries herein appropriated shall be paid in biweekly installments and the total of such items, other than salaries, shall be expended only if such be necessary. *Provided*, further, however, that implements and supplies of whatever kind to be purchased or sold under the terms of this act shall be purchased or sold only upon competitive bids each quarter after advertisement for at least one week previous to the letting of such contract in at least two issues of a newspaper published in Richland County, which advertisements shall set forth the articles and the approximate amount, quantity, measure and number thereof to be purchased or sold, and the contract of purchase or sale shall be awarded to the lowest responsible bidder for the period of one quarter. *Provided*, further, that in case of actual emergency, but in no other event, the supervisor may purchase without competitive bids, where the cost thereof does not exceed five hundred dollars, and under no circumstances shall purchases be divided in order to come within this limitation. *Provided*, further, that no bill, account or claim against the county shall be paid unless contracted for under such competition or purchased by the supervisor in the above-mentioned case of actual emergency and unless the claims be filed for audit within thirty days from the time a cause of action arises. *Provided*, further, that no official or board shall in any way create a debt or overdraw by warrant or otherwise the specific appropriations made for his or its specific office or department. It shall be a criminal offense for any official or board to overdraw his or its appropriations, knowing in advance that such has been used.

ITEM 1. ADMINISTRATION DEPARTMENT**(A) 1. AUDITOR'S OFFICE**

Salary, Auditor	\$ 4,373.20
Travel and Official Expenses, Auditor	430.00

Salary, Deputy Auditor	4,332.76
Travel and Official Expense, Deputy Auditor	430.00
Salary, Deputy Auditor	4,332.76
Travel and Official Expense, Deputy Auditor	430.00
Salary, Assistant Deputy Auditor	3,674.75
Salary, Clerk	3,674.75
Salary, Clerk	3,674.75
Salary, Clerk	3,646.09
Salary, Clerk	3,439.71
Extra Clerk Hire, if so much be necessary, at discretion of the Auditor	7,000.00
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	39,438.77

(B) TREASURER'S OFFICE

Salary, Treasurer	4,373.20
Travel and official expense, Treasurer	430.00
Salary, Deputy Treasurer	4,332.78
Official expense, Deputy Treasurer	430.00
Salary, Chief Cashier	4,108.45
Salary, Fee Cashier	3,729.87
Salary, Cashier	3,873.18
Salary, Cashier	3,873.18
Extra Clerk Hire, if so much be necessary ..	3,500.00
Bank Charges	300.00
Bond Premium to cover employees who han- dle money, if so much be necessary	500.00
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	29,450.66

Provided, however, if the State fails to pay Auditor and Treasurer a portion of their salary, then such amount is hereby appropriated as to bring their respective salaries up to \$8,221.20 and no more.

(C) CLERK OF COURT'S OFFICE

Salary, Clerk of Court	8,221.20
Travel and official expense, Clerk of Court ..	430.00
Salary, Deputy Clerk of Court	4,729.64
Official expense, Deputy Clerk of Court	430.00
Salary, Court Deputy	4,332.78
Official expense, Court Deputy	430.00

Salary, Court Deputy	4,301.91
Official expense, Court Deputy	430.00
Salary, Record Clerk	3,910.02
Salary, Chattel Clerk	3,674.75
Salary, Court Deputy	3,909.29
Salary, Clerk	3,646.09
Salary, Clerk	3,555.69
Salary, Clerk	3,285.60
Salary, Clerk	3,380.00
Extra Clerk Hire	600.00
Repairing of books, if so much be necessary	500.00
Purchase of 2 double roller shelf sections ...	564.82
Purchase of 6 four-drawer legal files with locks	784.14

51,115.93

(D) I. SUPERVISOR'S OFFICE

Salary, Supervisor	8,221.20
Travel and Official Expense, Supervisor	430.00
Salary, Deputy Supervisor and County Engineer	5,782.93
Travel and Official Expense, Deputy Supervisor and County Engineer	430.00
Salary, Assistant County Engineer	4,160.00
Travel and official expense, Assistant County Engineer	430.00
Salary, Clerk of Board	5,040.68
Salary, Assistant Clerk of Board	4,296.30
Seven Commissioners at \$192.92 per month each	16,205.28
Official Travel Expenses, Commissioners at \$50.00 per month each	4,200.00
For Advertising, if so much be necessary ...	500.00
Stamps for all county offices, if so much be necessary	12,000.00
Stationery and supplies for all county offices .	43,000.00
Officers' bonds	2,000.00
Auditing county records	12,000.00
Salary, County Attorney	4,226.60
State Fund, premium for period through September 30, 1963, if so much be necessary	6,529.54

Extra Clerk Hire	1,000.00
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	130,452.53

Provided, that the compensation so fixed for the County Attorney does not include compensation for abstracting titles to real estate or handling bond issues for any board or agency of Richland County; and the County Attorney may charge any board or agency for such services the minimum fee approved by the Richland County Bar Association. *Provided*, further, that the County Attorney may not use the services of any attorney on the delegation for abstracting the title to real estate or handling bond issues for any board or agency of Richland County. *Provided*, further, that the Richland County Board of Commissioners shall meet once every two weeks in the office of the County Supervisor at the call of the County Supervisor. *Provided*, that the audit for the Columbia Hospital, Richland County Health Department, the Richland County Public Library and Richland County Teachers' Retirement Fund shall be made by the same firm that is selected annually to audit the books and records of Richland County. *Provided*, further, that eight hundred dollars of the total cost of auditing county records shall be drawn from funds of the Columbia Hospital and likewise one hundred fifty dollars from funds of the Library; *provided*, that all supplies be obtained through and from the Supervisor's office by requisition.

(D) II. COUNTY JAIL

Salary, County Jailor	4,368.00
Travel and official expense, County Jailor ..	360.00
Salary, Assistant Jailor	3,519.97
Salary, helper at Jail	3,151.02
Salary, helper at Jail	3,151.02
Salary, helper at Jail	3,151.02

Salary, helper at Jail	3,151.02
Salary, helper at Jail	3,151.02
Salary, helper at Jail	3,151.02
Salary, Matron at Jail	2,080.00
Supplies and dieting at Jail	13,000.00
Repairs	1,000.00
Purchase of uniforms	900.00

 44,134.09

Provided, that the County Jailor shall file a monthly report with the Supervisor showing the daily number of prisoners, both State and Federal, at the jail, and the per capita cost of dieting per day. *Provided*, further, that all monies paid by the Federal Government or municipalities for dieting of prisoners confined in the Richland County Jail shall be turned over and become part of the Richland County General Fund; *provided*, further, however, that in addition to the appropriation hereinabove provided for supplies and dieting at the jail the Richland County Board of Commissioners shall have the right to use such monies paid by the Federal Government or municipalities to supplement the appropriation, if necessary, and that complete records of same be maintained and included in the annual county audit.

(E) TAX COLLECTOR'S OFFICE

Salary, Tax Collector	5,563.44
Travel and official expense, Tax Collector ..	480.00
Salary, Assistant Tax Collector	3,988.84
Official travel, Assistant Tax Collector	900.00
Salary, Assistant Tax Collector	3,902.85
Official travel, Assistant Tax Collector	900.00
Salary, Deputy Tax Collector	3,910.02
Travel and official expense, Deputy Tax Collector	900.00
Salary, Assistant Clerk	3,674.75
Salary, Stenographer	3,340.72

Extra hire, if so much be necessary	500.00
Rent of I.B.M. Key Punch and sales tax	720.00
Service Bureau Corp. (I.B.M. work)	1,500.00
Purchase or repair of 2 desks, if so much be necessary	200.00
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	30,480.62

Provided, that the Assistant Tax Collectors for Richland County be deputized by the sheriff for Richland County.

(F) DELEGATION OFFICE

Salary, Administrative Assistant	7,280.00
Travel and Official Expense	430.00
Salary, Secretary to Delegation	3,640.00
Office supplies and official Legislative expense	1,000.00
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	12,350.00

Provided, that the sum appropriated for office supplies and official Legislative expense shall be expended by the Secretary to the Delegation upon the approval of the Senator and at least one-half of the members of the House of Representatives from Richland County.

(G) ASSESSMENT

Board of Assessment Control, School District No. 1	27,699.00
Assessors for Board of Trustees, School Dis- tricts Nos. 2, 5 and 6, if so much be necessary	2,000.00
Board of Assessment Appeals, if so much be necessary	2,275.00
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	31,974.00

Provided, that members of the Board of Assessors for School Districts 2, 5 and 6 shall receive \$12.50 per day, and each of them shall be paid direct by the Supervisor upon properly executed vouchers presented based upon work actually performed. *Provided*, further, that the members of the Richland County Board of Assessment Appeals shall receive

\$12.50 per day each, and shall be paid under the same procedure as provided above in regard to the members of the Board of Assessors for the School Districts.

TOTAL ITEM 1	\$369,396.60
ITEM 2. JUDICIAL DEPARTMENT	
(A) COURT OF COMMON PLEAS AND GENERAL SESSIONS	
Clerk, Jurors and Witnesses	\$ 26,300.00
Court Stenographer	1,205.10
Official expense, Solicitor, Fifth Judicial Cir- cuit	1,450.00
Official expense, Circuit Judge, Fifth Judicial Circuit	1,500.00
Salary, Assistant Solicitor	6,248.40
Salary, Assistant Solicitor for Richland County	3,968.64
Salary, Secretary to Circuit Judge	3,933.25
Purchase of desk, if so much be necessary ..	200.00
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	44,805.39

Provided, that the bailiffs and Court Crier employed for the Court of Common Pleas and General Sessions shall receive eight dollars and fifty cents per day. *Provided*, that no more than four bailiffs and one Court Crier be appointed for such duties. *Provided*, that the Clerk of Court shall not pay more than thirty-four dollars per day for bailiffs. *Provided*, that the jury boy or girl employed by the Court of Common Pleas and General Sessions of Richland County shall receive five dollars per day. *Provided*, that out of the funds herein appropriated for jurors and witnesses the Clerk of Court is authorized and directed to pay for the printing of the roster for the Common Pleas Court and County Court which rosters are arranged by the County Judge and Bar Association.

Provided, further, that the members of the Richland County Grand Jury shall receive a per diem of \$5.00 for each day such grand jury meets as a body of the whole during the year 1962-63. *Provided*, further, that the petit jurors for the Court of Common Pleas and General Sessions of Richland County shall be paid at the rate of \$5.00 per day. *Provided*, further, however, that where petit jurors in the Court of Common Pleas or General Sessions are excused for a full day, such jurors shall not be paid a per diem for such days but if they should be required to return the next or subsequent days during that week, then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of per diem payment. *Provided*, further, that out of the funds herein appropriated for jurors and witnesses the Circuit Solicitor is hereby authorized to use for special services the sum not to exceed \$1,600.00.

(B) COUNTY COURT

Salary, Senior County Judge	12,412.40
Travel and official expense, Senior County Judge	430.00
Salary, County Judge	9,385.00
Official expense, County Judge	430.00
Salary, County Court Stenographer	5,410.58
Salary, County Court Junior Stenographer ..	4,581.57
Salary, County Court Bailiff and Clerk	3,991.68
Official expense, County Court Bailiff and Clerk	400.00
Clerk, County Court expenses	16,348.00
Salary, County Court Bailiff	3,991.68
Official expenses, County Court Bailiff	400.00
Salary, part time County Court Bailiff	3,042.20
Official expense, County Court Bailiff	240.00
Salary, part time County Court Bailiff	2,652.00

 63,715.11

Provided, that the Senior County Judge may employ not more than two part time bailiffs at \$8.50 per day during court terms.

Provided, further, that the petit jurors for the County Court shall be paid at the rate of \$5-.00 per day served. *Provided*, further, however, that where petit jurors in the County Court are excused for a full day, such jurors shall not be paid a per diem for such days but if they should be required to return the next or subsequent days during that week, then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of the per diem payment.

(C) JUVENILE-DOMESTIC RELATIONS COURT

Salary, Judge	9,385.00
Travel and official expenses, Judge	430.00
Salary, Chief Probation Officer	5,834.29
Official expense, Chief Probation Officer ...	900.00
Salary, Assistant Probation Officer	4,801.46
Official expense, Assistant Probation Officer	900.00
Salary, Assistant Probation Officer	4,801.46
Official travel expense, Assistant Probation Officer	900.00
Salary, Probation Officer	4,801.46
Official expense, Probation Officer	900.00
Salary, Probation Officer	4,801.46
Official expense, Probation Officer	900.00
Salary, Probation Officer	4,801.46
Official expense, Probation Officer	900.00
Salary, Clerk of Court of Juvenile-Domestic Relations Court	4,160.00
Salary, Assistant Clerk of Court	3,515.20
Salary, Deputy Clerk of Court	3,244.80
Salary, Deputy Clerk of Court	3,244.80
Court expense	1,300.00
Deputy, Juvenile-Domestic Relations Court .	4,316.23
Official travel expenses, Deputy, Juvenile-Domestic Relations Court	1,200.00

Fund for Court Reporting Service, if so much be necessary	300.00
Purchase of Typewriter	400.00
Purchase of Adding Machine	350.00
Furniture and files for new Probation Officers	1,350.00

 68,437.62

Provided, that the Deputy, Juvenile-Domestic Relations Court, be deputized by the Sheriff of Richland County. *Provided*, further, that the Sheriff's office shall be relieved of the responsibility of serving any legal papers for the Juvenile-Domestic Relations Court.

(D) JUDGE OF PROBATE'S OFFICE

Salary, Judge of Probate	8,221.20
Travel and official expense, Judge of Probate	430.00
Salary, Clerk of Probate Court	4,557.32
Salary, Assistant Clerk	4,061.24
Salary, Court Reporter	4,061.24
Stenographer	2,995.20
Expenses and publications	165.00
Part time Bailiff	900.00
File Cabinet	150.00
Purchase of Rack Book	300.00
Purchase of Table	75.00
Accoustical Tile	250.00

 26,166.20

(E) MASTER'S OFFICE

Salary, Master	8,221.20
Travel and official expense, Master	430.00
Salary, Court Reporter	5,200.00
Salary, Assistant Court Reporter	4,680.00
Salary, Bookkeeper	4,160.00
Allowance for Court Reporters' fees or Stenographers' fees, by independent contracts, if so much be necessary	2,000.00

 24,691.20

[illegible]

Salary, County Deputy	4,008.33
Salary, County Deputy	4,008.33
Salary, County Deputy	3,836.35
Salary, County Deputy	3,619.20
Salary, County Deputy	3,619.20
Salary, County Deputy	3,619.20
Salary, County Deputy	3,619.20
Salary, County Deputy	3,619.20
Salary, County Deputy	3,619.20
Salary, County Deputy	3,480.00
Salary, County Deputy	3,480.00
Salary, County Deputy	3,480.00
Salary, Communications Operator	3,120.00
Salary, Communications Operator	3,120.00
Salary, Communications Operator	3,120.00
Salary, Secretary	3,847.38
Salary, Secretary	2,914.38
3 School crossing guards @ \$900.00 each ...	2,700.00
Office Equipment	735.00
Long distance telephone and transportation of prisoners, if so much be necessary	2,800.00
Fingerprint and photo supplies	1,000.00
Radios and equipment	2,705.83
Contingent Fund	500.00
Deputy Sheriffs—uniforms, plain clothes and equipment	5,100.00
Uniforms, School crossing guards	300.00
Insurance, fuel, repairs and maintenance of county-owned Sheriff's cars, if so much be necessary	19,728.00
Five new cars (five old ones to be traded in), if so much be necessary	7,500.00
Purchase of one new car	2,300.00

189,537.37

Provided, that uniforms and plain clothes requested by the Sheriff to be used in the law enforcement division shall be purchased semi-annually by the County Board of Commissioners on competitive basis as needed; *provided*,

further, that the time of purchase of summer uniforms and clothes be changed in order to be available for use prior to July of preceding fiscal year. *Provided*, that the Sheriff's office take care of necessary summonses or processes issued by the Judge of Probate. *Provided*, further, that all clothes, equipment and supplies furnished by the Sheriff's office to the Deputies shall be returned to the Sheriff's office immediately after such Deputy shall cease to be employed by the county. *Provided*, further, that appropriation for long distance telephone and transportation of prisoners be drawn only by proper warrants, such transportation to be used only for prisoners from beyond the borders of Richland County. *Provided*, further, that the County Deputy shall serve as one of the Court Bailiffs, if required to do so by the Sheriff without additional remuneration.

(B) CORONER'S OFFICE

Salary, Coroner	6,864.00
<i>Provided</i> , the office of the Coroner shall be a fulltime office.	
Travel and official expense	1,500.00
Coroner's Deputy, official expenses	510.00
Stenographic services, if so much be necessary	1,275.00
Jurors and communication expenses	700.00
Purchase of typewriter	180.00
Purchase of Rescue Boat motor	300.00

 11,329.00

Provided, that the Coroner shall call upon County Physicians to hold Post Mortem examinations. *Provided*, further, that the Coroner attest and furnish such affidavits as might be necessary to the Treasurer. *Provided*, further, that the Coroner pay each juror two dollars as a jury fee.

Provided, also that the Coroner shall use his best discretion in having inquests taken down by a stenographer to the end that \$1,275.00

herein appropriated for stenographic services shall in no event be exceeded.

(C) MAGISTRATES AND CONSTABLES

Blythewood, Magistrate, Salary	2,323.86
Blythewood, Magistrate, official travel	300.00
Blythewood, Magistrate, office rent	120.00
Blythewood, Constable, Salary	1,863.06
Columbia, Magistrate, Salary and expense ..	4,197.94
Columbia, Magistrate, Stenographer, salary ..	3,961.47
Columbia, Constable, Salary	3,435.16
Columbia, Constable, official travel	300.00
Dutch Fork, Magistrate, Salary	3,287.36
Dutch Fork, Magistrate, official travel	450.00
Dutch Fork, Magistrate, office rent	420.00
Dutch Fork, Constable, Salary	3,536.50
Dutch Fork, Constable, official travel	800.00
Dutch Fork, Constable, school	450.00
Eastover, Magistrate, Salary	2,544.34
Eastover, Magistrate, official travel	600.00
Gadsden, Magistrate, Salary	2,323.86
Gadsden, official travel	300.00
Eastover and Gadsden, Constable, Salary	4,731.00
Garners, Magistrate, Salary	2,875.06
Garners, Magistrate, official travel	300.00
Garners, Magistrate, rent and office expense ..	360.00
Garners, Constable, Salary	3,417.44
Garners and Lykesland, Constable, official travel	900.00
Hopkins, Magistrate, Salary	2,515.68
Hopkins, Magistrate, official travel	300.00
Hopkins, Magistrate, office rent, lights, fuel and telephone	425.00
Hopkins, Constable, Salary	3,177.12
Hopkins, Constable, official travel	750.00
Killian, Magistrate, Salary	2,544.34
Killian, Magistrate, official travel	600.00
Killian, Magistrate, rent, supplies and telephone	600.00
Killian, Constable, Salary	2,875.06
Killian, Constable, official travel	600.00
Killian, Magistrate, part time stenographer ..	1,200.00

Lykesland, Magistrate, Salary	2,875.06
Lykesland, Magistrate, official travel	300.00
Lykesland, Magistrate, rent	360.00
Lykesland, Magistrate, office equipment	161.25
Olympia, Magistrate, Salary	4,515.72
Olympia, Magistrate, rent and official expense	900.00
Olympia, Constable, Salary	4,094.31
Olympia, Constable, official travel	1,500.00
Pontiac, Magistrate, Salary	2,544.34
Pontiac, Magistrate, official travel and rent ..	600.00
Pontiac, Constable, Salary	2,544.34
Pontiac, Constable, official travel	300.00
Upper Township, Magistrate, Salary	4,557.32
Upper Township, Magistrate, rent and official travel expense	900.00
Upper Township, Constable, Salary	3,205.78
Upper Township, Constable, official travel ..	600.00
Upper Township, part time stenographer	1,200.00
Waverly, Magistrate, Salary and expense	4,226.60
Waverly, Magistrate, rent, office expense and telephone	1,128.00
Waverly, Constable, Salary	3,435.16
Waverly, Constable, official travel	300.00
Waverly, Stenographer, Salary	2,628.06
Magistrates' forms	100.00
Uniforms for Magistrates' Constable	1,000.00
Jury fees of Magistrates	500.00

\$103,860.19

Provided, that the stenographer for Waverly Magistrate shall serve Magistrate at Olympia and any other Magistrate on call. *Provided*, further, that any Magistrate's Constable to whom a uniform has been or is hereafter issued shall wear such uniform at all times when performing his official duties. *Provided*, further, that the Magistrates of Columbia, Eastover, Garners, Hopkins, Lykesland and Waverly shall be allowed one additional Constable who shall serve without pay. *Provided*, further, that all Magistrates establish office hours or

schedule of hours and certain designated places for trying cases in their respective districts. *Provided*, further, that out of the one hundred dollars for Magistrates' forms herein appropriated, the Supervisor and County Board of Commissioners shall purchase serially numbered receipts, in triplicate, in sufficient detail so as to provide all pertinent information with respect to cases handled by Magistrates in Richland County; and the Supervisor and Board of Commissioners shall deliver the receipts to the Treasurer of Richland County, advising how same shall be used. *Provided*, further, that each Magistrate shall make and file with the County Supervisor, each month, a verified report of criminal cases begun before him and their status and disposition, together with a list of all fines collected. The County Supervisor shall not pay any salary to any Magistrate until he has made and filed the verified report herein required and, further, each Magistrate shall be required to produce and display to the Supervisor the Treasurer's receipt showing that the fines listed as being collected on his report have been paid to the Treasurer, and the Treasurer shall indicate by his stamp thereon that the fines have been paid to the Treasurer and the amount and the date on which the fines were paid, before the Supervisor shall release the Magistrate's pay warrant to him.

(D) CHECK CLEARING HOUSE	9,500.00
	<hr/>
	9,500.00

Provided, check clearing house shall be under the direction and supervision of such Magistrate as may be designated by a majority of the Delegation, including the Senator. *Provided*, further, that all salaries and expenses

incurred are to be approved by the Richland
County Delegation.

TOTAL ITEM 3 \$314,226.56

ITEM 4. ROADS AND BRIDGES:

(A) ROADS, CONVICTS AND BRIDGES

Maintenance and repair	\$127,500.00
Salary, 4 Captains of Guards	16,224.00
Salary, 4 Foremen of Guards	13,312.00
Salary, 9 Patrol Operators	30,888.00
Salary, 24 Guards	74,880.00
Salary, 1 Mechanic	3,855.07
Salary, 1 Mechanic	3,764.68
Salary, 2 Chaplains	2,425.28
Official travel, 4 Captains @ \$60.00 per month each	2,880.00
Replacement of old equipment, if so much be necessary	30,000.00
Road, street and school signs, if so much be necessary	2,000.00

307,729.03

Provided, that the Captains of Guards, Foremen of Guards, Patrol Operators and Guards employed by Richland County be paid on the basis of the salary formula as applied to all other county employees.

(B) FARM-TO-MARKET PAVING:

Salary, Superintendent	5,015.76
Travel and official expense of Superintendent	400.00
Salary, Project Engineer	3,754.77
Salary, Stenographer	3,416.78
Salary, Guard	3,507.70
Salary, 8 Operators	37,099.38
Official expense, Supervisor	1,600.00
Official expense, Engineer	600.00

55,394.39

Provided, that all monies saved on farm-to-market paving contracts handled by the Super-

visor and Richland County Board of Commissioners shall be placed in a special account in the Treasurer's office to be used for paving or equipment used in such paving program upon the approval of the Senator and a majority of the Richland County House Delegation. *Provided*, further, that the operators employed by Richland County be paid on the basis of the salary formula as applied to all other county employees.

TOTAL ITEM 4		\$363,123.42
ITEM 5. PUBLIC HEALTH AND WELFARE		
(A) HOSPITALIZATION		
I. Columbia Hospital		
Inpatient charity		\$360,000.00
To be paid only upon claims of the Columbia Hospital to be presented monthly to cover expenses of charity patients, both white and colored, who are residents of Richland County, South Carolina, and admitted by the hospital, all of such claims to be based on a rate of fourteen dollars per day per patient; <i>provided</i> , that the County Treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed thirty thousand dollars per month; <i>provided</i> , further, that such advance shall not exceed the patient per diem claim filed by the Columbia Hospital for the preceding month; and <i>provided</i> , further, that the Board of Trustees of the Columbia Hospital is authorized to place indigent patients in nursing homes of its selection at costs not to exceed \$42.00 per month to the hospital or to pay such money over to the Public Welfare Department for such purposes, and to pay same out of the amount hereinabove appropriated.		
Outpatient charity clinic		30,000.00
<i>Provided</i> , that the Board of Trustees of the Columbia Hospital is authorized to hire a		

part-time director of the clinic at a salary not to exceed \$4,000.00 per year to be paid out of the amount hereinabove appropriated. *Provided*, that the hospital shall cooperate with the State Board of Health and work in conjunction with the County Physicians.

II. Good Samaritan-Waverly Hospital, if so much be necessary, for charity	25,000.00
<i>Provided</i> , that this amount shall be paid only upon claims of the Good Samaritan-Waverly Hospital to be presented monthly for hospital costs and expenses of charity patients, who are residents of Richland County, South Carolina, and admitted by the hospital. All of such claims to be based on a charge of \$7.50 per day, per patient for the first thirty days of hospitalization of a particular patient; on a basis of \$3.00 per day on the next succeeding thirty days of hospitalization of such patient, and thereafter on a basis of \$2.50 per day for succeeding days of hospitalization for that patient; <i>provided</i> , that the County Treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed \$2,083.33 per month; <i>provided</i> , further, that such advance shall not exceed the patient per diem filed by the Good Samaritan-Waverly Hospital for the preceding month.	
III. Richland Tuberculosis Association	57,804.61
	<hr/> 472,804.61
(B) VITAL STATISTICS	2,500.00
	<hr/> 2,500.00
(C) I. COUNTY HEALTH DEPARTMENT..	54,045.80
II. Dog control program	4,800.00
	<hr/> 58,845.80

Provided, that all fees collected by the Health Department shall be deposited with the County Treasurer to be credited on the County Gen-

eral Fund; *provided*, further, that none of the above appropriation shall be spent without the approval of the County Health Officer; *provided*, further, that if the above amount does not equal twenty cents per capita for the county's population according to the official 1950 Federal Census, such additional amount is hereby appropriated. *Provided*, further, that the Director of the County Health Department shall file with the County Board of Commissioners an itemization of the above appropriation on or before July 1, 1962.

(D) SALARY, TWO COUNTY PHYSICIANS 3,835.80

3,835.80

Provided, that six hundred dollars of the above amount shall be paid to the County Physicians for mental examinations of service men and women for admittance to the Veterans Administration Hospital.

(E) WELFARE AGENCIES

(1) Carolina Children's Home 7,500.00

Provided, that no monthly vouchers shall exceed the number of Richland County children certified by the proper authorities, and payment to be made on the basis of fifteen dollars per month per child and at no time shall the number exceed fifty children.

(2) Association of the Blind for South Carolina . . 2,000.00

(3) Traveler's Aid Society 600.00

10,100.00

(F) CONVALESCENT HOME

Salary, Superintendent 3,705.43

Salary, Matron 1,796.91

Salary, Maintenance Man 2,511.27

Salary, 2 Nurses @ \$2,359.14 each 4,718.28

Salary, 1 Nurse 2,272.07

Salary, 1 Nurse 1,040.00

Salary, 1 Cook 1,565.41

Salary, 1 Cook 1,384.61

Salary, 1 Laundress	1,565.41
Salary, 1 Maid	1,261.15
Salary, 1 Watchman	2,043.85
Supplies, operation and maintenance	16,217.14
Repairs	2,000.00

 42,081.53

Provided, that the Superintendent shall be appointed by the Supervisor, and shall be a person having a suitable medical background and training; *provided*, further that all monies by way of pensions, contributions or otherwise, paid from any source other than Richland County for maintenance and board of any person maintained and cared for in the Richland County Convalescent Home, shall be turned over and become part of the Richland County General Fund. *Provided*, further, however, that in addition to the appropriations hereinabove provided for supplies, operation and maintenance, the Richland County Board of Commissioners shall have the right to use such monies so paid to supplement the maintenance, support and care of persons maintained and cared for in the Richland County Convalescent Home if necessary. *Provided*, further, that complete records of same be maintained and included in the annual county audit.

(G) COUNTY SERVICE OFFICER

Salary, County Service Officer	4,160.00
Official expense, County Service Officer	240.00
Salary, Assistant Service Officer	3,696.24
Official expense, Assistant Service Officer ..	240.00
Supplies and equipment	65.92

 8,402.16

Provided, that the Assistant Service Officer shall be on call for secretarial assistance, as required, to the Legislative Delegation or the Administrative Assistant thereof.

(H) DEPARTMENT OF PUBLIC WELFARE

Salary, Director (Supplement)	1,848.17
Official travel, 5 Welfare Workers	2,400.00
Supplement to salaries of employees	3,174.91
Child Welfare Account, clothing, boarding homes, etc.	2,500.00
Emergency Fund	3,600.00
Telephone	650.00
Rent	4,200.00
Heat, Lights, Water and Electricity	1,550.00
Janitor Service	720.00

 20,643.08

(I) CHILDREN'S HOME

Salary, Superintendent	2,581.82
Salary, Manager	2,383.39
Salary, Matron	2,193.78
Salary, Janitor and Wife	2,054.87
Operating and maintenance	8,600.00

 17,813.86

Provided, that all funds received by the Children's Home from other sources be turned over to the Treasurer of Richland County.

 TOTAL ITEM 5\$637,026.84

ITEM 6. AGRICULTURE, FORESTRY AND RELATED AGENCIES

(A) COOPERATIVE EXTENSION WORK

Salary, County Agent	\$ 1,779.74
Official travel, County Agent	180.00
Salary, 2 Assistant County Agents	960.00
Salary, Stenographer, County Agent	1,462.80
Salary, Home Agent	979.44
Salary, Stenographer, Home Agent	1,125.72
Demonstration materials for Home Agent ...	100.00
White Boys' 4-H Club Work	150.00
White Girls' 4-H Club Work	150.00
Salary, Colored Farm Agent	1,335.60
Demonstration materials, Colored Farm Agent	100.00

Salary, Stenographer, Colored Farm Agent..	2,588.52
Salary, Colored Home Agent	1,178.72
Office rent, lights, water and fuel, Colored Farm and Home Agents	1,620.00
Demonstration materials, Colored Home Agent	100.00
Colored Boys' 4-H Club Work	150.00
Colored Girls' 4-H Club Work	150.00
Long distance telephone, County Agent	100.00
Long distance telephone, Home Agent	50.00
Long distance telephone, Colored Farm and Home Agents	75.00

14,335.54

(B) OTHER

Salary, County Ranger	1,046.38
(1) Maintenance and operation of county-owned jeeps	1,500.00
<i>Provided</i> , that the above amount should be expended on the basis of twenty-five dollars per month per county-owned jeep, if so much be necessary.	
F.F.A. Club Work	150.00
Richland County Cooperative Breeders Asso- ciation	1,800.00
Salary, part time Secretary, Richland Soil Conservation District	1,200.00

5,696.38

TOTAL ITEM 6\$ 20,031.92

ITEM 7. PUBLIC BUILDINGS

(A) (1) Courthouse Bonds I	\$ 18,000.00
(2) Courthouse Bonds II	9,300.00
(B) Lights, Water and Fuel	12,000.00
(C) Telephones	7,300.00
(D) Insurance—Burglary and Theft	6,000.00
(E) Salary, Chief Janitor	2,680.19
(F) Salary, Janitor	2,568.53
(G) Salary, Janitor	2,539.87

(H) Salary, Janitor	2,539.87
(I) Salary, Janitor	2,416.09
Salary, Maid	1,576.43
(J) Salary, Elevator Operator	2,854.81
(K) Salary, Elevator Operator	2,768.82
(L) Elevator Maintenance	600.00
(M) (1) Salary, Engineer, Courthouse	4,417.55
(2) Official expense, Engineer, Courthouse..	430.00
(N) Expense of repairs and maintenance, Court- house, if so much be necessary	2,700.00

TOTAL ITEM 7\$ 80,692.16

Provided, the Courthouse Engineer, Janitors and Maids shall work under the direction and supervision of the County Supervisor or such person as he may designate for the purpose of keeping the Courthouse and county office building, including utilities and grounds maintained, clean and in a state of good repair at all times. They shall perform only the duties and work and such hours as the County Supervisor or such person as he may designate may prescribe. *Provided*, further, that the hours of operation, maintenance and cleanliness of elevators shall be under the supervision of the County Supervisor or such person as he may designate.

ITEM 8. MENTAL HEALTH CLINIC\$ 18,500.00

TOTAL ITEM 8\$ 18,500.00

ITEM 9. MISCELLANEOUS

(A) For tenure, County Employees, twenty-five years' service	\$ 1,495.00
(B) Voting Machines	6,000.00
(C) South Carolina Retirement System	19,450.00
(D) Social Security	22,000.00
(E) National Guard Units in Richland County ...	6,500.00

Provided, that such sum shall be allocated to the National Guard Units in Richland County not on active duty.

(F)	Livestock Exhibit, if so much be necessary	500.00
(G)	Board of Registration	3,500.00
	<i>Provided</i> , that the members of the Board of Registration shall be paid at the rate of ten dollars per day actually served.	
(H)	Contingent Fund	30,000.00
(I)	Richland County Library	67,010.00
(J)	The Hearing and Speech Center	3,500.00
(K)	Carolina Carillon	2,000.00
(L)	Columbia Museum of Art	25,000.00
(M)	Town of Eastover, toward purchase of fire truck	742.20
	<i>Provided</i> , the Mayor and Councilmen of the Town of Eastover raise at least \$742.20 and show to the Board of Commissioners that such amount is raised and available and that the combined amounts are to be applied on the purchase of such fire truck; and <i>provided</i> , further, the people in the surrounding area outside the corporate limits of the Town of Eastover shall be served on the same basis as those living within the limits.	
(N)	North Trenholm Road Fire Department	650.00
	<i>Provided</i> , that all persons within the area covered by the charter of North Trenholm Fire Department be served. <i>Provided</i> , further, that a similar amount shall be matched by local contributions.	
(O)	Capitol View Fire Department	650.00
	<i>Provided</i> , that all persons within the area covered by the charter of Capitol View Fire Department shall be served. <i>Provided</i> , further, that a similar amount shall be matched by local contributions.	
(P)	Civil Defense	5,300.00
(Q)	Columbia Township Auditorium	10,000.00
(R)	Industrial Development Commission of the Columbia Chamber of Commerce, if so much be necessary	15,000.00
(S)	Sheltered Workshop	2,000.00
(T)	Community Health Survey	4,800.00

(U) Richland-Lexington Counties Joint Planning Commission	3,934.11
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TOTAL ITEM 9	\$230,031.31
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GRAND TOTAL	\$2,270,630.71
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ITEM 10. EDUCATION DIVISION

(A) BOARD OF EDUCATION

Salary, Superintendent of Education	\$ 3,411.70
<i>Provided</i> , however, if the State fails to pay the Superintendent of Education a portion of his salary, then such amount is hereby appropriated as to bring his salary up to \$8,221.20 and no more.	
Official travel, Superintendent of Education ..	900.00
Salary, Chief Clerk	4,296.42
Salary, Clerk	3,120.00
Salary, School Lunch Clerk, Supplement to State Aid	1,174.60
Per diem and mileage, seven County Board of Education members, if so much be necessary	1,000.00
Extra Clerk hire, if so much be necessary ...	300.00
Utilities and incidentals	800.00
Installation of acoustical tile and lighting fixtures	268.00

15,270.72

(B) SPECIAL SERVICES

Salary Supplement of School Lunch Supervisor	2,954.08
Salary Supplement of Attendance Supervisor	3,145.70
Official travel, Attendance Supervisor	750.00
Salary, Coordinator of Instruction	5,616.00
Official travel, Coordinator of Instruction	660.00
Salary, Jeanes Supervisor	4,368.00
Official travel, Jeanes Supervisor	528.00
Rent utilities, Jeanes Supervisor	525.00
Workmen's Compensation Insurance	1,750.00

Employees' Bond	325.00
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	20,621.78
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TOTAL ITEM 10	\$ 35,892.50
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Provided, that the expenditures listed in Item 10 shall be paid from the fifteen mill tax levied as an equalization fund for the several school districts and the remainder shall be distributed as directed below :

There is hereby levied on all taxable property of Richland County a school equalization levy of fifteen mills and, in addition thereto, there is levied on all taxable property in the school districts, respectively, the tax authorized by law, to wit: in School District No. 1, a tax of thirty-one mills for local school purposes; in School District No. 2, a tax of eleven mills for local school purposes; in School District No. 5, a tax of fourteen mills for local school purposes; in School District No. 6, a local school levy, as shall be recommended by the board of trustees of School District No. 5 of Lexington County, of which School District No. 6, Richland County, is a part. *Provided*, that the tax levy for local school and debt service purposes in the Richland County School District No. 6 portion of the district shall not exceed the local school and debt service tax levied on the taxable property of the district in the Lexington County portion of Lexington County School District No. 5. The fifteen-mill school equalization levy shall be collected by the Treasurer of Richland County and both back tax and current tax collections shall be distributed to the districts of the county on a per pupil average daily attendance basis for the fiscal year prior to the collection. *Provided*, that the Treasurer of Richland County shall transfer to the Richland County Board of Education Fund a sum not to exceed fifteen thousand two hundred seventy dollars and seventy-two cents, as set forth in Section (A) above, from the proceeds of the fifteen-mill tax referred to above, which sum shall be used for the purpose of paying salaries and expenses of the office of the County Superintendent of Education for the fiscal year 1962-63. *Provided*, further, that the Treasurer of Richland County shall transfer to the Richland County Board of Education Fund a sum not to exceed twenty thousand six hundred twenty-one dollars and seventy-eight cents, as set forth in Section (B) above, said sum to be used for the purpose of paying salaries and expenses for special services of the

office of the Richland County Superintendent of Education rendered to Districts 2, 5 and 6 for the fiscal year 1962-63. This sum shall be transferred from that portion of the proceeds of the fifteen-mill equalization levy apportioned to School Districts 2, 5, and 6. *Provided*, that the local school boards of trustees of School Districts 2, 5, and 6 of Richland County shall expend annually as textbook aid from the proceeds of the fifteen-mill equalization fund a sum of not less than two dollars and fifty cents per pupil officially enrolled in grades one through six, inclusive.

SECTION 2. It shall be the duty of the head of each department to inquire of the Clerk of the County Board of Commissioners, at the close of each quarter, the status of the appropriation for his department; and it shall be the further duty of the head of each department, if expenditures are running ahead of appropriations, to bring such expenditures in line with the appropriation. *Provided*, that if any department head exceeds the appropriation for his department, such overdraft shall be deducted from said department head's salary.

SECTION 3. The Treasurer of Richland County is hereby authorized and directed to turn over and deliver to the Board of Trustees of the Columbia Hospital of Richland County all operating funds legally due and in the control and possession of the Treasurer of Richland County for said hospital; and the Board of Trustees of Columbia Hospital of Richland County is hereby authorized and empowered to receipt for and deposit same and deposit all future operating receipts and revenues to its own account or accounts in a bank or banks in the City of Columbia, S. C., and disburse same by checks issued by the duly authorized officer or employee of said hospital.

The Treasurer of Richland County is hereby authorized and directed to turn over to the secretary of the legislative delegation sufficient moneys from the General Fund of the county to pay the cost of supplies and official legislative expense. The secretary to the delegation shall deposit same in a bank to be expended upon approval of the Senator and at least half of the members of the House of Representatives from Richland County.

SECTION 4. All of the county officers of Richland County may close their offices on Saturday of each week at twelve o'clock noon, except in emergency. *Provided*, that all county offices shall be open not later than nine o'clock A.M. and close not sooner than five o'clock P.M. on all other work days; and *provided*, further that the minimum work week for all county employees shall be forty hours.

SECTION 5. The Board of Trustees of School District No. 1 shall file a copy of the annual audit of this school district in the office of the clerk of court within ten days from the preparation thereof, for the benefit of the public, as other public documents are filed in said office. All charitable and other organizations which receive any part of their income from Richland County are hereby required to have an annual audit made at the end of their fiscal year and to file a copy thereof with the Richland County Delegation within ten days after the preparation thereof. Upon failure to file such reports as herein provided for, the Treasurer of Richland County is hereby directed to withhold further payments to said organization until such audit is filed.

SECTION 6. Nothing in this section contained shall apply to School District No. 1 of Richland County. In the payment of expenses incurred in all other school districts of the county a separate warrant or order, directed to the county treasurer, signed by a majority of the board of trustees of the disbursing district, shall be issued direct to each payee in strict conformity with the general school law of South Carolina; *provided*, nevertheless, as follows:

In order to facilitate and expedite the payment of salaries of personnel in all categories regularly employed for a scholastic or calendar year, also for the payment of separate bills, amounting to less than one hundred dollars each for special services or school materials properly payable from school operation and maintenance funds, it shall be lawful for a board of trustees to issue a consolidated or "master" warrant on the county treasurer in the aggregate amount of all or any portion of the aforesaid salaries and bills due and payable in any current "school" or calendar month, such master warrant to be payable to the school district in the name of its previously designated disbursing agent, preferably the school district superintendent, though any other full time, adult employee of the district shall be eligible. Each master warrant shall have on its face or back, or on a sheet securely attached thereto, a complete list of all ultimate payees with the amount due to each plainly set forth; and, except for salaries aforesaid, there shall also be securely attached a separately printed or written, fully itemized statement from each ultimate payee showing the amount and nature of the services rendered or supplies furnished. The Richland County Board of Education may (by standing resolution embodying such restrictions as it may impose) authorize the county superintendent of education, in his discretion, to process all

such master warrants for payment without prior reference to said county board. The processed master warrant shall be deposited by the district's disbursing agent in a separate account in a Columbia F. D. I. C. bank to the credit of the school district and by such agent disbursed by check to the several payees named on the list aforementioned. All disbursing agents shall keep a neat and permanent record of all their transactions as such agents on uniform record and voucher prescribed by and furnished through the county board aforesaid, and these records shall be available to the public for inspection at all reasonable times. The county superintendent of education shall require all disbursing agents at the proper time to submit their records and vouchers to the auditors employed to make the annual audits of the Richland County records and such auditors shall check and verify same as an integral portion of the county school accounts. Each disbursing agent shall furnish the district at its expense a fidelity bond in the penal sum of not less than five thousand dollars, or as much more as the district board of trustees may deem advisable.

The conditions set forth in the foregoing proviso of this section are joint and not severable and the proviso, in its entirety, is to be construed as an optional alternate procedure in paying salaries of whatever amount and separate bills, regardless of number, amounting to less than one hundred dollars each.

SECTION 7. All appropriations made herein and all unappropriated and unpledged surplus funds in the hands of the Treasurer of Richland County are subject to the right and authority of the Senator and at least one-half of the members of the House Delegation from Richland County to alter, increase or deduct therefrom at any time, when, in their judgment, such alterations, increases or deductions are necessary for the best interest of the county and/or to conform with the revenue expected during the life of this act. *Provided*, however, that no such action shall be taken except in the course of a duly called public meeting of the delegation, after due notice to the heads of the respective departments to be thereby affected. The Treasurer of Richland County is authorized to extend credit for recording Federal agricultural papers.

SECTION 8. All salaried constables in Richland County shall be deputized to preserve order in their respective magisterial districts.

SECTION 9. All county-owned construction equipment, automobiles, station wagons and trucks except two such automobiles used

by the sheriff's office, one for detective work and the other for process serving, and the automobile used by the Supervisor of Richland County, shall be, within ten days from the effective date of this act, marked, stenciled or painted on both front doors of said vehicles as follows: "Richland County" (in letters not less than three inches in height) and directly under said words the name of the county department which operates these vehicles (in letters not less than two inches in height). After ten days from the effective date of this act no person, company or corporation shall service, supply or equip any county-owned construction equipment, automobiles, station wagons or trucks which are not marked pursuant to the terms of this section. After ten days from the effective date of this act no county funds shall be paid out for services to or supplies and equipment furnished for county-owned automobiles, construction equipment, station wagons or trucks which are not marked pursuant to the terms of this section. Heads of county departments or agencies shall maintain a list reflecting the make, model, serial number and South Carolina license number of all county-owned vehicles and equipment in his department or agency and shall report to the Richland County Delegation prior to action taken when any county-owned vehicles or equipment are traded or disposed of in any way whatsoever. The markings herein provided for shall be kept visible at all times.

SECTION 10. Whenever, during the effective period of this act, a vacancy occurs in any employee position or classification provided for in this act and in the judgment of the department or agency affected it is necessary to fill such position or classification, the person newly employed shall be hired at not more than the lowest salary appropriated in this act for such position or classification within the department affected; and if there be no such other position or classification in such department the person newly employed shall be hired at not more than the lowest salary for similar positions or classifications for other departments or agencies provided for herein.

SECTION 11. All revenue accruing to Richland County for reimbursement, or otherwise, in excess of the amount necessary to pay appropriations herein made, shall be allocated to the general fund, unless otherwise directed by the Senator and at least one-half of the House members.

SECTION 12. All appropriations made in this act for travel and/or official expense shall be paid monthly on vouchers properly probated, as needed by officials.

SECTION 13. All heads of departments shall employ replacements or new personnel at an initial salary of at least ten per cent less than the pay provided for such employees in the 1958-59 Richland County Appropriations Act.

SECTION 14. Any employee who shall have tenure of twenty-five years or more in Richland County employ shall receive an additional sixty-five dollars per year, prorated on a monthly basis, over and above the salary provided in this act.

SECTION 15. If any section, paragraph, item or provision of this act shall be held invalid by a court of competent jurisdiction, such invalidity held shall not affect, impair or invalidate any remaining section, paragraph, item or provision of this act.

SECTION 16. All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1158, H2737)

No. 1211

An Act To Authorize The Treasurer Of Richland County To Lend Fifteen Thousand Dollars To The Jackson-Gills Creek Public Service District And To Provide For The Repayment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Jackson-Gills Creek Public Service District may borrow money.—The Treasurer of Richland County is authorized to lend fifteen thousand dollars to the Jackson-Gills Creek Public Service District of Richland County. The note evidencing such loan shall be executed by the chairman of the governing body of the district.

SECTION 2. Payment.—The loan shall be repaid from funds first received by the district which have not been previously pledged.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R781, S505)

No. 1212**An Act To Provide For The Extension Of The Open Season For The Hunting Of Rabbits In Saluda County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Rabbit season for Saluda County.—Notwithstanding any other provision of law to the contrary, the open season for the hunting of rabbits in Saluda County shall be extended to February 15, 1962, inclusive.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R881, S597)

No. 1213**An Act To Authorize The Town Of Ridge Spring In Saluda County To Borrow From The Ridge Banking Company The Sum Of Forty-Eight Hundred Dollars At Such Rate Of Interest And Under Such Terms And Conditions As May Be Mutually Agreed Upon Between The Town And The Bank.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Ridge Spring may borrow money.—The Town of Ridge Spring is authorized to borrow from the Ridge Banking Company the sum of forty-eight hundred dollars at such rate of interest and under such terms and conditions as may be mutually agreed upon between the town and the bank.

SECTION 2. Payment.—The Town of Ridge Spring is hereby authorized to pledge irrevocably for the payment of the loan, with principal and interest, the full faith, credit and taxing power of the town.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R1088, H2560)

No. 1214**An Act To Provide For The Levy Of Taxes For Saluda County For School And County Purposes For The Fiscal Year Commencing July 1, 1962; To Provide For The Expenditure Thereof; And To Provide For Other County Purposes.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of mills as is necessary to raise the amount of money hereinafter appropriated is hereby levied on all taxable property in Saluda County for school and county purposes for the fiscal year July 1, 1962 to June 30, 1963, for the amounts and purposes hereinafter mentioned.

Item 1. Roads and Bridges:

Maintenance of Roads and Bridges, tractor force and convicts, and purchase of concrete pipe . . . \$ 50,000.00
Any balance that might be in Item 1 at the end of the fiscal year (June 30, 1962) shall be transferred to Item 1 for the new fiscal year 1962-1963, and to be in addition to the amount set forth in Item 1.

TOTAL, ITEM 1 \$ 50,000.00

Item 2. Salaries, payable monthly:

Clerk of Court	\$ 1,100.00
Treasurer (County's part)	1,000.00
Auditor (County's part)	1,000.00
Chairman, Board of Commissioners, for full time	4,140.00
Travel Expense	1,500.00
The Chairman of the Board of Commissioners, in connection with his employment as such, shall be furnished gasoline from the pumps located at the County Home for official business.	
Two County Commissioners @ \$700.00 each, and expenses	1,400.00
Clerk of Board and Tax Collector	2,700.00
Superintendent of Education, salary	450.00
Travel Expense	600.00
Judge of Probate	2,600.00

Provided, that the Judge of Probate shall receive in addition to the above all fees collected by him

for the issuance of marriage licenses. The fee for each such application and marriage license issued by him shall be \$2.50.

Magistrate at Courthouse	1,500.00
Magistrate at Ridge Spring	750.00
Constable at Ridge Spring, to be deputized by Sheriff, at Sheriff's discretion	400.00
Two Magistrates at \$300.00 each	600.00
Two Constables to Magistrates at \$100.00 each	200.00
Coroner and his Deputy	500.00
Clerical help, \$5.00 for each case	60.00
Travel Expenses	400.00
Janitor, full time at Courthouse, Jail, Agricultural Building and grounds at \$125.00 per month	1,500.00
County Attorney	150.00
County Physician	480.00
<i>Provided</i> , that the County Physician shall act as one of the examining physicians in each lunacy case and assist in all post mortems, without extra compensation.	
Clerical help for Clerk of Court's Office	2,700.00
<i>Provided</i> , that such help shall be employed by the Clerk of Court.	
Treasurer's expenses	300.00
Auditor's expenses	300.00
Clerk of Court's expenses	200.00
Sheriff	3,900.00

Provided, that the Sheriff and his family shall occupy the living quarters of the jail and shall have full use of the county property therein, including the payment for lights and water.

Provided, that the Sheriff shall receive in addition to the above all fees collected in his office.

Two Deputy Sheriffs (to be appointed by the Governor, upon the recommendation of the Sheriff and a majority of the Delegation) and the expenses for two Deputy Sheriffs, \$2,440.00 each

4,880.00

Travel expense \$1,200.00 each

2,400.00

Provided, it shall be the duty of each of the deputies to assist the Tax Collector in collecting de-

linquent taxes by serving notice of executions or otherwise as directed by the Tax Collector. Such deputies shall receive \$3.50 for each execution which he serves. The two deputies above-mentioned shall be clothed with authority to arrest without warrant any person known or suspected by them, upon satisfactory information, of violation of any of the criminal laws of the State; *provided*, that any person arrested shall be taken immediately to the most convenient magistrate and a warrant procured; *provided*, that the deputy sheriffs may perform all duties usually required of rural policemen and shall patrol the county as they may be directed by the Sheriff; *provided*, that if the deputies fail to do their duty by not enforcing all laws they shall be subject to removal at any time by the Governor, upon the recommendation of a majority of the Legislative Delegation. The Sheriff or deputy sheriffs shall transfer all lunatics to the asylum free of all costs, except actual expenses. *Provided*, further, that the deputy sheriffs shall work under the direction of the Sheriff and shall devote their entire time to the duties of the office. The Sheriff or deputy sheriffs shall act as Constable for the Magistrate for Saluda Courthouse.

Tax Collector 1,500.00

Provided, that the Tax Collector shall clear his records of all personal property delinquent taxes, including automobiles, etc., one year from date of executions from the Treasurer's office.

TOTAL, ITEM 2 \$ 39,210.00

Item 3. Board of Assessors and Equalization, if so much be necessary \$ 1,500.00

Provided, that each member of the board of assessors shall receive compensation in the sum of thirty dollars (\$30.00) annually; and *provided*, further, that the county board of equalization shall meet upon the call of the county

auditor for not exceeding three days in any one year and shall receive per diem of ten dollars per day for not exceeding three days.

TOTAL, ITEM 3		\$ 1,500.00
Item 4.	Jail expenses, including dieting of prisoners at one dollar and fifty cents per day each, and bedding, less lights	\$ 1,700.00
	Jurors and witnesses	1,800.00
	Water and fuel—Courthouse and Agricultural Building	1,450.00
	Lights for Courthouse Square	112.00
	Lights for Jail, Agricultural Buildings, Courthouse and County Farm	1,950.00
	Saluda Chamber of Commerce, industrial developments	750.00
	National Guard Unit	1,200.00
	<i>Provided</i> , that this amount shall be divided equally between the two companies.	
	Telephones located as follows: one telephone to be located in Sheriff's house, one in Auditor's office, one in Superintendent of Education's office, one in Clerk of Court's office, one in Magistrate's office, one at County Home and one in Sheriff's office; and long distance calls	
	For Sheriff's travel expense outside of Saluda County	1,200.00
	Courthouse supplies and Agricultural Building. (Including janitor and two telephones for Agricultural Building)	100.00
	Twelve months' rent, lights, fuel, for Welfare Department at \$45.00 per month	1,275.00
	Twelve months' rent for Unemployment Board	540.00
	Vital Statistics	180.00
	Saluda Standard—Printing County Reports	125.00
	Miscellaneous office expenses, if so much be needed:	100.00
	Clerk of Court	1,000.00
	Sheriff	125.00
	Judge of Probate, office equipment	300.00
	Treasurer	250.00

Office expense for tax billing machine	500.00
Superintendent of Education	75.00
Auditor	275.00
Commissioner's Office	100.00
Magistrate's Office, printing necessary blanks ..	150.00
<i>Provided</i> , that the bills for printing herein authorized shall be paid upon separate bills rendered by each county officer.	
<i>Provided</i> , that magistrates' jurors shall receive as compensation one dollar per day.	
Tax collector, books and stationery	200.00
<i>Provided</i> , above office expense appropriations shall be excepted from provisions of Section 5.	
Auditing County Officers' Books	400.00
Agricultural Department:	
4-H Boys' Club	50.00
4-H Girls' Club	50.00
F.F.A. Boys' Club, Saluda	75.00
J.H.A. Girls' Club, Saluda	75.00
F.F.A. Boys' Club, Hollywood	75.00
J.H.A. Girls' Club, Hollywood	75.00
F.F.A. Boys' Club, Ridge Spring	75.00
J.H.A. Girls' Club, Ridge Spring	75.00
N.H.A., Riverside	75.00
N.F.A., Riverside	75.00
County Agent	75.00
Home Demonstration Agent	100.00
Supplement to present County Agent's salary ..	500.00
Travel expense	700.00
Supplement to present Home Demonstration Agent's salary	200.00
Welfare Board	648.00
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TOTAL, ITEM 4	\$ 18,780.00

Item 5. Miscellaneous Contingent:

Provided, that the Saluda County Board of Commissioners may issue vouchers against this fund for the items herein specified and not exceeding the amounts set forth for the year 1954-1955: All court expenses as may be incurred in excess of the specified appropriations in this act.

Coroner's jurors shall receive three dollars each and ten cents per mile for each case of court.

Mileage shall be paid for the distance from home to place of inquest one way only.

Post mortems, inquests and lunacies

Transportation to State Hospital

Insurance on officers' bonds

Saluda County's proportional expense of S. C.

Retirement System and Withholding Tax

Insurance and Sinking Fund

Insurance of county employees

Any funds paid out of the general miscellaneous contingent fund account, not approved in the county appropriations act, must be approved by the Saluda County Legislative Delegation.

GRAND TOTAL	\$109,490.00
Less Estimated Revenue, other Than Taxes:	
Gas Tax	\$ 48,940.00
Income Tax	12,000.00
Other Revenue	14,619.00
Total	\$ 75,559.00

TO BE RAISED BY TAXATION\$ 33,931.00

SECTION 2. The fee that may be charged by the Clerk of Court for Saluda County for the recording, filing, indexing or registering of any mortgage or other instrument conveying an interest in, or creating a lien on, the crops growing or to be grown, or on personal property, made to any corporation under the Act of Congress known as the Farm Credit Corporation of 1933, if and as amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be one dollar; and a copy or duplicate of such instrument shall be furnished to the recording officer; *provided*, that Saluda County is specifically excepted from the provisions of Section 27-61, Code of Laws of South Carolina,

1952. Notwithstanding the provisions of Section 27-96, Code of Laws of South Carolina, 1952, the clerk of court shall charge one dollar and fifty cents for recording a deed and one dollar and twenty-five cents for recording a mortgage on real estate.

SECTION 3. The county officials of Saluda County are hereby directed to collect the fees allowed them by law as a part of their salaries. The county treasurer shall retain twenty-five cents additional out of every tax execution fee collected and the tax collector shall retain one dollar and fifty cents out of every such execution.

SECTION 4. In anticipation of the collection of 1962 taxes, the county board of commissioners and the treasurer are hereby authorized to borrow an amount sufficient to meet the expenses of the county government for this fiscal year and pledge the taxes for 1962 in payment thereof, and the full faith, credit and taxing power of Saluda County are hereby pledged for the payment of such note or notes as are issued under the authority of this section.

SECTION 5. The above accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *provided*, no bill or claim shall be approved or paid unless the same shall state fully what it is for, giving the kind and quantity of the thing or commodity which it represents in addition to the amount and time when furnished. Any note or contract made by any officer of the county or county board in excess of the levy and appropriation herein shall be null and void insofar as the county is concerned; *provided*, however, that any officer or employee who disregards any of the provisions herein without the written consent of the Saluda County Legislative Delegation in the General Assembly, as kept on file in the office of the county treasurer, shall be guilty of malfeasance in office and subject to removal upon complaint of the Saluda County Legislative Delegation, in addition to the punishment now provided by law.

SECTION 6. All county officers shall make a complete report to the county treasurer of all fees, fines and monies received and disbursed by them, and file copies thereof with the Clerk of Court of Saluda County for the periods ending June 30, 1962, December 31, 1962, and June 30, 1963, and such reports shall be furnished not later than the tenth of the following month. Without further notice, such reports shall be public records and subject to inspection by the

people of the county. Failure to make such reports by January, 1963, shall make such officer failing in this requirement subject to removal from office by the Saluda County Legislative Delegation.

SECTION 7. All county officers shall be paid monthly and such payment shall not exceed one-twelfth of the amount appropriated. Not more than one-sixth of the amount of Item 1 shall be paid out in any one month, except in case of emergency, and if it be necessary, and by consent of the delegation.

SECTION 8. As soon as the total amount of property for taxation has been ascertained for the year 1962, the auditor and treasurer, jointly, are authorized to increase or decrease the levy hereinbefore made to meet the appropriations herein provided, taking into account all other funds on hand for the purpose, gas tax as estimated, and other indirect revenues.

SECTION 9. The chairman of the board of commissioners has entire care and supervision of all county buildings and grounds, and he shall employ a janitor and shall have supervision over the janitor at all times. The chairman may designate someone to assist him during his absence.

SECTION 10. Any balance in any item, except Item 1, unexpended at the beginning of the fiscal year 1962-1963, shall be placed in the contingent account. All fines, forfeitures and forfeited land sales collected shall be placed in the contingent fund.

SECTION 11. The treasurer is hereby authorized and required to place the money coming from whiskey, wine and beer tax in the fiscal year 1962-1963 in a separate fund to be known as "General School Fund," and this fund may be used at the discretion of the county superintendent of education by and with the consent of the county board of education.

SECTION 12. If, for any cause, the office of the chairman of the board of county commissioners, or either of the two commissioners, shall become vacant, the Governor shall, upon the recommendation of the Saluda County Legislative Delegation, appoint his successor.

SECTION 13. All offices of the courthouse may be closed at 1:00 o'clock P. M., every Saturday afternoon and every Thursday afternoon.

SECTION 14. The expenditure of any funds from the State surplus coming to the county treasurer for school purposes or otherwise must be approved by the county delegation.

SECTION 15. The county farm shall be managed by the chairman of the board of county commissioners in cooperation with other members of that board to the end that the farm may supplement the funds provided for the county chain gang.

SECTION 16. The county delegation is directed to charge a reasonable rental for such buildings and property as belong to the county and may be accepted by agencies of the Federal Government. Such monies as are received from this source shall be placed in a special agricultural fund to be used exclusively for improvements on such buildings as are rented pursuant to the terms of this section.

SECTION 17. No tax levy for school purposes shall be effective unless approved by the legislative delegation from the county.

SECTION 18. All magistrates of the county shall be bonded in the sum of one thousand dollars in a bonding company approved by the board of county commissioners, and such premiums as may be required shall be paid from funds of the county.

SECTION 19. The court crier and bailiffs for the county shall receive the same compensation as provided by law for petit jurors of the circuit court.

SECTION 20. All county notes shall remain with the treasurer when paid and shall not be transferred to any other office or officer.

SECTION 21. If any section of this act shall be found to be unconstitutional, it shall not be construed to affect the validity of any other section hereof.

SECTION 22. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R700, S452)

No. 1215

An Act To Validate Indebtedness Incurred By Startex-Jackson-Wellford-Duncan Water District For The Purpose Of Extending Its Water Distribution System, And To Make Provision For The Payment Of Same.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that Startex-Jackson-Wellford-Duncan Water District (herein called the district) was faced with an emergency requiring it to extend its water distribution system in order to meet residential and industrial needs within the district, and that prior to the enactment of an act entitled “An Act To Authorize And Empower Startex-Jackson-Wellford-Duncan Water Commission To Issue General Obligation Bonds Of Startex-Jackson-Wellford-Duncan Water District In The Principal Amount Of Not Exceeding One Hundred Thousand Dollars; To Prescribe The Purposes For Which The Proceeds Of The Bonds Shall Be Used, The Terms And Conditions Upon Which The Bonds Shall Be Issued And To Make Provision For The Payment Of Such Bonds.” which is to be simultaneously enacted with this act, it incurred indebtedness to one or more banking institutions in Spartanburg County and utilized the funds so borrowed to meet costs incident to the enlargement of its water distribution system.

The General Assembly further finds that the purposes for which the proceeds of the borrowings were employed were valid and proper corporate purposes of the district and that the temporary borrowings, which are to be repaid from the proceeds of the bonds to be issued pursuant to the authorizations of the act above recited, should be in all respects validated and confirmed as valid and binding obligations of the district.

SECTION 2. Certain loans validated.—The General Assembly specifically approves, confirms and validates certain loans heretofore made to the district by banking institutions in Spartanburg County and declares the same to be valid and binding obligations of the district, for whose payment the full faith, credit and resources of the district shall be irrevocably pledged, and unless the said indebtedness shall be repaid on or before July 1, 1962, there shall be annually levied and collected by the Auditor and Treasurer, respectively, of Spartanburg County an ad valorem tax upon all taxable property in the district, sufficient to meet the interest to become due on said indebtedness

from year to year, and to retire and pay the principal of said indebtedness in four equal, annual instalments. The tax so levied and collected shall be held by the Treasurer of Spartanburg County separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1962.

(R723, H2093)

No. 1216

An Act To Amend Act No. 514 Of The Acts Of 1959, Relating To Properties Set Aside For The Use Of The Spartanburg Tuberculosis Hospital, So As To Remove From The Provisions Of That Act A Certain Lot, And To Authorize The Conveyance Of The Lot To The City Of Spartanburg.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (A), Section 1 of Act 514 of 1959 amended—land designated for use of Spartanburg County Tuberculosis Hospital.—Subsection (A) of Section 1 of Act No. 514 of the Acts of 1959 is amended by striking it in its entirety and inserting in lieu thereof the following :

“(A) All of tract No. 6, containing 15.02 acres, more or less, as shown on plat of Gooch & Taylor, Surveyors, made for Spartanburg County on March 27, 1958; less and excluded herefrom is that certain lot containing 0.84 acre, more or less, as shown on plat by Gooch & Taylor, Surveyors, made for Spartanburg Water Works on December 27, 1961.”

SECTION 2. Section 2 of Act 514 of 1959 amended—lot to be conveyed to City of Spartanburg.—Section 2 of Act No. 514 of the Acts of 1959 is amended by adding at the end thereof the following :

“The County Board of Spartanburg County is hereby directed to convey that certain lot containing 0.84 acre, more or less, as shown on plat by Gooch & Taylor, Surveyors, made for Spartanburg Water Works on December 27, 1961, to the City of Spartanburg, which conveyance shall contain the following provisions: This property is

conveyed subject to the conditions that the grantee landscape the property in the area around the proposed tank location and place and maintain benches on the lot for use of the Spartanburg County Tuberculosis Hospital, and that the lot is not to be fenced in unless agreed to by the Board of Trustees of the Spartanburg County Tuberculosis Hospital. In the event the City of Spartanburg ceases to use the lot hereby conveyed for water works purposes, then, and in that event, the lot shall immediately revert to Spartanburg County, its successors and assigns; *provided*, however, the City of Spartanburg shall have the right to remove from the lot any property which it has placed thereon and nothing placed on the lot by the City of Spartanburg shall at any time become a part of the real estate."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R739, H2107)

No. 1217

An Act To Provide Authority For The South Carolina State Highway Department To Undertake Relocation Of Certain Water Mains Of Woodruff-Roebuck Water District In Spartanburg County And To Provide For Repayment Of Costs Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department may relocate water mains of Woodruff-Roebuck Water District.—The South Carolina State Highway Department is hereby authorized to procure the relocation, at its own expense, of that portion of the water main and piping of the Woodruff-Roebuck Water District in Spartanburg County which has encroached since September 3, 1958, upon S. C. Highway 221 right-of-way lying between Spartanburg and Woodruff. *Provided*, that such district shall enter into an agreement with the department for the repayment of the costs incurred in such relocation, from its ordinary revenue, in such annual amounts as are reasonable and just and will most expeditiously effect repayment to the department.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R774, S445)

No. 1218

An Act To Amend Act 654 Of 1961, Relating To The Fiscal Affairs Of Spartanburg County, So As To Delete The Provisions Relating To Radiologists At The Spartanburg General Hospital, And To Amend Section 2 Of Act 252 Of 1941, Relating To The Board Of Trustees Of The Spartanburg General Hospital, So As To Authorize Them To Enter Into Agreements As To Compensation Of Radiologists.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The first proviso of Item 5(A)1 of Section 1 of Act 654 of 1961 is amended by striking after the period on line 18 "The trustees of the Spartanburg General Hospital may enter into an agreement with the radiologist in charge of that department for directing its work and interpreting X-ray pictures of charity patients at an annual salary not to exceed \$25,000.00.", so that when amended the proviso shall read as follows:

"Provided, this appropriation is hereby reduced to the extent of any funds received from the State Income Tax and allocated to Spartanburg County for hospital and charity service. All stenographic and clerical employees of the General Hospital shall be paid at a rate not in excess of equally rated employees in other departments of the county government where salaries are set by the terms of this act. The above appropriation shall include the operating expenses of the Woodruff Hospital as the trustees of the General Hospital shall deem necessary for the proper operation of the Woodruff Hospital. The Woodruff Hospital is hereby authorized and directed to take care of charity patients at the discretion of the trustees of the Spartanburg General Hospital."

SECTION 2. Section 2 of Act 252 of 1941 amended—compensation of radiologists.—Section 2 of Act 252 of 1941 is amended by adding at the end thereof the following: "The Trustees of the Spartanburg General Hospital may enter into an agreement with each radiologist enjoying staff privileges under which he will receive as compensation for his services an amount not exceeding thirty-five per cent of the gross charges for the services rendered by the radiology department in cases in which he is consulted reduced percentagewise by uncollectible accounts; *provided, that only one radiologist shall receive compensation for any one case.*"

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R780, S453)

No. 1219

An Act To Authorize Startex-Jackson-Wellford-Duncan Water Commission To Issue General Obligation Bonds Of Startex-Jackson - Wellford - Duncan Water District In the Principal Amount Of Not Exceeding One Hundred Thousand Dollars; To Prescribe The Purposes For Which The Proceeds Of The Bonds Shall Be Used, The Terms And Conditions Upon Which The Bonds Shall Be Issued And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that Startex-Jackson-Wellford-Duncan Water District (herein called the district) was duly created by Act No. 1105 of the Acts of 1956 and is now comprised of the territory described in that act and in Act No. 1181 of 1958 and Act No. 1125 and Act No. 1128 of 1960, which last mentioned acts enlarged the district as originally created. Pursuant to authorization granted by the acts, the district has issued one million five hundred thousand dollars (\$1,500,000) of its general obligation bonds, whose proceeds have been used to construct a water distribution system within the district. It has now been ascertained that there is an immediate need for further expansion of the water distribution system in order that residential and industrial consumers may obtain an adequate supply of water. Studies to determine the cost of the necessary extensions have been made, and on the basis of such studies, the General Assembly has determined that an additional \$100,000 will be required to defray costs incurred or to be incurred in the construction of the required additions to the water distribution system. On the basis of such findings and in order to permit the Startex-Jackson-Wellford-Duncan Water Commission (herein called the commission) to adequately serve residents and industries in the district, the General Assembly has determined to

authorize the commission to issue one hundred thousand dollars (\$100,000) of general obligation bonds of the district.

SECTION 2. Bond issue authorized.—In order to provide funds with which to meet the costs incurred or to be incurred in connection with the additions and extensions to the water distribution system of the district, including any sums required to pay the principal and interest of any temporary borrowings made by the district to meet costs incurred prior to the delivery of the bonds authorized by this act, the commission is hereby authorized and empowered to issue as a single issue not exceeding one hundred thousand dollars (\$100,000) of general obligation bonds of the district.

SECTION 3. Date — maturity — interest — redemption. — All bonds issued pursuant to the authorizations of this act shall bear such date as the commission shall determine, and shall mature in such equal or unequal annual installments as may be determined by the commission, except that the first maturing bonds shall mature not later than three years from their date and the last maturing bonds shall mature not later than thirty years from their date. They shall be made payable at such place or places as the commission shall prescribe, and such bonds shall bear interest at such rate or rates as shall be designated by the successful bidder at the sale thereof, subject to such limitations and restrictions as the commission may impose. The bonds may be issued with the privilege to the holder of having the same registered as to principal on the books of the Treasurer of Spartanburg County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commission shall prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the commission shall prescribe.

SECTION 4. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their delivery at public sale, and at least ten days prior to the sale, notice announcing the intention to receive bids for the sale of the bonds authorized by this act, shall be published in a daily newspaper of general circulation published in South Carolina. In offering the bonds for sale the commission may reserve the right to reject all bids, but if all bids are rejected, the bonds shall be re-advertised for sale in the

same manner. If a second call for bids shall produce results unsatisfactory to the commission, the commission shall be empowered to effect a private sale of the bonds authorized hereby.

SECTION 5. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730, Acts of 1952.

SECTION 6. Execution.—All bonds issued pursuant to this act and the coupons to be appertaining thereto shall be executed in such manner as the commission shall prescribe.

SECTION 7. Payment.—For the payment of the bonds, both principal and interest, as the same respectively mature, the full faith, credit, resources, and taxing power of the district shall be pledged, and there shall be levied and collected by the Auditor and Treasurer, respectively, of Spartanburg County, an ad valorem tax upon all taxable property in the district without limitation as to rate or amount, sufficient to pay the interest on the bonds and the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected shall be held by the Treasurer of Spartanburg County separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act.

SECTION 8. Proceeds.—The proceeds derived from the sale of bonds issued pursuant to this act shall be deposited with the Treasurer of Spartanburg County in a separate and distinct fund and shall be expended upon the warrants or orders of the commission for purposes for which the bonds are issued, provided always that the purchasers of any bonds, or any subsequent holders thereof, shall be in no wise responsible for the proper application of such proceeds.

SECTION 9. Powers to be additional.—The power and authority hereby conferred shall be in addition to all presently existing power and authority, and not in abrogation thereof, except that authority to issue bonds by reason of previous enactments of the General Assembly not made use of on the occasion of the effective date of this act shall be deemed to have lapsed and to be of no further force and effect.

SECTION 10. Time effective.—This act shall take effect upon its approval by the Governor.

Approved the 2nd day of March, 1962.

(R784, H2126)

No. 1220

An Act To Amend Section 2 Of Act No. 582 Of 1955, Relating To The Appointment And Membership Of The Una Water District Commission Of Spartanburg County, So As To Increase The Membership Of The Commission; To Provide For The Election Of The Commissioners And To Designate The Precincts From Which The Members Shall Be Elected.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 582 of 1955 amended—to be managed by a commission.—Section 2 of Act No. 582 of 1955 is amended by striking it out and inserting in lieu thereof the following :

“Section 2. The district shall be operated and managed by a commission known as the ‘Una Water District Commission’. The commission shall consist of five resident electors of the district as follows: One from the Una Precinct, one from the Johnson City Precinct, one from the Powell Village Precinct and two from the Saxon Village Precinct, one of whom shall reside in the Saxon Village area and one of whom shall reside in the Hayne and Williams Street area, this area begins on Fairforest Arcadia Highway at the Saxon Mill property line and extends to the P & N stop, all of whom shall be elected by the qualified electors of the district for terms of six years and until their successors are elected and qualify. Upon the expiration of the term of any member his successor shall be elected in the general election which follows the expiration date of his term. The term of all members elected, after the effective date of this act, shall commence on December first. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment of the Governor, upon the recommendation of a majority of the Legislative Delegation of Spartanburg County. Notwithstanding the above provisions the two members to be added to the commission pursuant to this act shall be elected in the general election of 1962 and their terms shall commence December 1, 1962. The term of one of these members shall expire November 30, 1966 and the term of the other member shall expire November 30, 1968. Only users of water supplied by said district shall be eligible to serve as commissioners. After the election the commissioners shall meet and determine by lot the term to be served by each.”

SECTION 2. Not to affect terms of present members.—Nothing in this act shall be construed to affect the terms of the present commissioners.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R785, H2127)

No. 1221

An Act To Amend Section 2 Of Act No. 936 Of 1954, As Amended, Relating To The Cowpens Water District Commissioners Of Spartanburg County, So As To Provide That The Commissioners Shall Be Elected Instead Of Appointed.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 936 of 1954 amended—to be managed by a commission.—Section 2 of Act No. 936 of 1954, as amended, is further amended by striking it out and inserting in lieu thereof the following :

“Section 2. The district shall be operated and managed by a commission to be known as ‘Cowpens Water District Commission’. The commission shall consist of five resident electors of the district as follows: two from the Cowpens Precinct, one from the Mount Olive Precinct, one from the Converse Precinct and one from the Zion Hill Precinct, who shall be elected by the qualified electors of the district for terms of six years and until their successors are elected and qualify. Upon the expiration of the term of any member his successor shall be elected in the general election which follows the expiration date of his term. The terms of all members elected, after the effective date of this act, shall commence on December first. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment of the Governor, upon the recommendation of a majority of the Legislative Delegation of Spartanburg County.”

SECTION 2. Not to affect terms of present members.—Nothing in this act shall be construed to affect the terms of the present commissioners.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R793, H2254)

No. 1222

An Act To Authorize The Conveyance, Upon Conditions, By The County Board Of Spartanburg County To The Firestone Tire & Rubber Company Of A Portion Of The Spartanburg County Farm Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County Farm property to be conveyed.—Notwithstanding the provisions of Act 514 of 1959, the County Board of Spartanburg County is hereby authorized and directed to convey, subject to the restrictions hereinafter set forth, to The Firestone Tire & Rubber Company, its successors and assigns, the following described portion of the Spartanburg County Farm property :

All that certain tract or parcel of land in Spartanburg County, State of South Carolina, being a part of Spartanburg County Farm property, known as Tract 3-A on plat of Spartanburg County Farm property made by Gooch & Taylor, Surveyors, containing 7.94 acres, more or less, and being more particularly described as follows :

Beginning at a point in center of County Road, Southeast corner of Spartan Radiocasting Company and running thence with center line of County Road South 31-02 West 1141.7 feet to point in center line of South Carolina Highway No. 65 ; thence with the center line of South Carolina Highway No. 65 North 63-08 West 300.9 feet to point in center line of said highway, Southeast corner of property heretofore conveyed to The Firestone Tire & Rubber Company, and running thence with the southern line of property heretofore conveyed to The Firestone Tire & Rubber Company North 31-02 East 1165.3 feet to pipe in property line of Spartan Radiocasting Company ; thence with line of Spartan Radiocasting Company South 58-37 East 300 feet to point of beginning in center line of County Road.

The conveyance shall be made subject to the following restrictions:

That no building of any type shall be erected on the described premises, but that the premises shall be landscaped and beautified to provide a buffer zone between the Spartanburg County Tuberculosis Hospital and The Firestone Tire & Rubber Company. It shall be the right and obligation of The Firestone Tire & Rubber Company, its successors and assigns, to so beautify and landscape the premises. No roads will be constructed upon the property.

These restrictions shall be a covenant running with the land and will inure to the benefit of and be binding upon the successors and assigns of The Firestone Tire & Rubber Company and upon the successors and assigns of the County Board of Spartanburg County; *provided*, that this covenant will only remain in force so long as the Spartanburg County Tuberculosis Hospital or some other county institution designed for the care of the sick or aged is situated on the present Tuberculosis Hospital premises.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R962, H2478)

No. 1223

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit Spartanburg School District No. 7 Of Spartanburg County To Incur Bonded Indebtedness Up To Twelve Per Cent Of The Assessed Value Of The Taxable Property Therein.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Spartanburg School District 7.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: "*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to Spartanburg School District No. 7 of Spartanburg County, the

State of South Carolina, and that the school district may incur bonded indebtedness for school purposes to an amount not exceeding twelve per cent of the assessed value of all taxable property therein."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit Spartanburg School District No. 7 of Spartanburg County to increase its bonded indebtedness up to twelve per cent of the assessed value of the taxable property therein?"

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

(R963, H2479)

No. 1224

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit Spartanburg School District No. 6 Of Spartanburg County To Incur Bonded Indebtedness Up To Twelve Per Cent Of The Assessed Value Of The Taxable Property Therein.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Spartanburg County School District 6.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: "*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to Spartanburg School District No. 6 of Spartanburg County, the State of South Carolina, and that the school district may incur bonded indebtedness for school purposes to an amount not exceeding twelve per cent of the assessed value of all taxable property therein."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit Spartanburg School District No. 6 of Spartanburg County to increase its bonded indebtedness up to twelve per cent of the assessed value of the taxable property therein?"

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

(R998, S624)

No. 1225

An Act To Empower The Commissioners Of Public Works Of The City Of Spartanburg As The Governing Commission Of Spartanburg Metropolitan District To Issue Not Exceeding Five Hundred Thousand Dollars Of General Obligation Bonds Of Spartanburg Metropolitan District, To Prescribe The Conditions Under Which Such Bonds Shall Be Issued And The Purposes For Which Their Proceeds Shall Be Expended, And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that further sewage facilities are needed by the Spartanburg Metropolitan District, and that certain capital expenditures of the District heretofore authorized and made should be funded and has therefore determined to empower the Commissioners of Public Works of the City of Spartanburg (hereinafter in this act referred to as Commissioners), upon whom were devolved the duties, powers and authority formerly exercised by the Commissioners of the Spartanburg Metropolitan District (by Section 59-180.1, Code of Laws of South Carolina, 1952) to under-

take the construction of such facilities and to pay to the operating fund of the District an amount sufficient to reimburse the operating fund for certain capital expenditures heretofore authorized and made. It therefore empowers the Commissioners to reimburse the operating fund of the District for certain capital expenditures heretofore made and to undertake the construction of such further sewage facilities as in the opinion of the Commissioners is necessary.

SECTION 2. City of Spartanburg may issue bonds for sewage facilities.—In order to provide funds for the undertakings authorized by Section 1, the Commissioners may issue, either as a single issue or from time to time as several separate issues, not exceeding five hundred thousand dollars of general obligation bonds of Spartanburg Metropolitan District.

SECTION 3. Maturity—interest—redemption.—All bonds issued pursuant to the authorizations of this act shall bear such date or dates as the Commissioners shall determine, and the bonds of any issue or series shall mature in such equal or unequal annual installments as may be determined by the Commissioners, except that the first maturing bonds of any issue or series shall mature not later than three years from their date and the last maturing bonds of any issue or series shall mature not later than thirty years from their date. They shall be made payable at such place as the Commissioners shall prescribe, and they shall bear interest at such rate (payable on such occasions) as the successful bidder at any sale thereof shall name, provided that no rate of interest borne by any bond shall be in excess of five per cent per annum. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Spartanburg County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer) upon such conditions as the Commissioners may prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the Commissioners shall prescribe.

SECTION 4. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any

bonds authorized by this act, shall be published in a daily newspaper published in Spartanburg County and in a financial publication, published in the City of New York. In offering the bonds for sale the Commissioners may reserve the right to reject any and all bids, but if all bids are rejected, the bonds shall be re-advertised for sale in the manner of the original notice. If a second call for bids shall produce results unsatisfactory to the Commissioners, they shall be empowered to effect a private sale at a price not less than the best bid received on the occasion of the two public offerings.

SECTION 5. Exemption from taxes.—All bonds issued pursuant to this act and all interest thereon shall be exempt from all State, county, municipal, school district and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 6. Execution.—All bonds issued pursuant to this act shall be executed in the name of Spartanburg Metropolitan District by the Chairman of the Commissioners and Treasurer of Spartanburg County, under the seal of the Commissioners. The coupons attached to the bonds shall be authenticated by the facsimile signatures of the chairman and the Treasurer of Spartanburg County, who are in office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution or such authentication.

SECTION 7. Payment.—For the payment of the bonds, both principal and interest, as they respectively mature, the full faith, credit, resources, and taxing power of Spartanburg Metropolitan District shall be pledged, and there shall be levied and collected by the Auditor and Treasurer of Spartanburg County, respectively, an ad valorem tax upon all taxable property in the Spartanburg Metropolitan District without limitation as to rate or amount, sufficient to pay the principal and interest on the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities.

SECTION 8. Proceeds.—The proceeds derived from the sale of bonds issued pursuant to this act shall be deposited with the Treasurer of Spartanburg County in a separate and special fund and shall be expended upon the warrants or orders of the Commissioners for the purposes for which the bonds are issued, provided always that the

purchasers of any bonds, or any subsequent holders thereof, shall be in no wise responsible for the proper application of such proceeds.

SECTION 9. Powers and authority.—The power and authority hereby conferred shall be in addition to all presently existing power and authority, and not in abrogation thereof.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R999, S625)

No. 1226

An Act To Authorize The Commissioners Of Public Works Of The City Of Spartanburg, South Carolina, As The Governing Commission Of The Spartanburg Metropolitan District, To Expend A Portion Of The Operating Fund Of The Spartanburg Metropolitan District For The Extension Of An Interceptor Sewer Line Into The Area Known As "The Spartanburg County Farm", And To Provide For Repayment Of The Money Expended.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Spartanburg may spend money for sewer line.—The Commissioners of Public Works of the City of Spartanburg, South Carolina, as the governing commission of the Spartanburg Metropolitan District may expend an amount, not to exceed the sum of fifty thousand dollars, from the operating fund of the Spartanburg Metropolitan District for the extension of an interceptor sewer line into the area known as "The Spartanburg County Farm". The amount of money expended from the operating fund of the Spartanburg Metropolitan District for the extension of the interceptor sewer line above mentioned shall be repaid to the operating fund from the proceeds of a contemplated bond issue by the Spartanburg Metropolitan District.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1019, H2186)

No. 1227

An Act To Authorize The Treasurer Of Spartanburg County To Make Certain Tax Refunds And To Repeal Act No. 655 Of 1961, Providing For A Tax Levy In Greer School District 9-H Of Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County authorized to make tax refund to Greer School District 9-H.—The Treasurer of Spartanburg County is directed to refund to the taxpayers in Greer School District 9-H in the Spartanburg Sector, upon satisfactory evidence of payment, the thirteen mill school tax, including any penalties collected for the years 1960-1961, and is further directed to desist from collecting such thirteen mill school tax in the future. *Provided*, however, if after one year from the date of passage of this act there shall remain any unclaimed sum, then such sum shall be retained by the treasurer and credited to the general fund of Spartanburg County.

SECTION 2. Repeal—Act 655 of 1961 repealed.—Act No. 655 of 1961 is repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1034, H2524)

No. 1228

An Act To Authorize The Spartanburg County Board Of Control To Issue And Sell Not Exceeding Six Hundred Fifty Thousand Dollars Of Coupon Bonds Of Spartanburg County, The Proceeds Thereof To Be Used For The Construction Of One Or More Technical Training Facilities In Spartanburg County, To Provide For A Tax To Pay The Bonds And The Interest Thereon, And To Provide For The Expenditure Of Any Surplus Fund Derived From The Tax Levy.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County Board of Control may issue bonds for technical training facilities—issue—interest.—The

Spartanburg County Board of Control is hereby authorized to issue bonds of Spartanburg County to finance the construction and equipping of one or more technical training facilities in Spartanburg County. The aggregate principal amount of the bonds shall not exceed six hundred fifty thousand dollars. The bonds shall be issued either all at one time or from time to time, and shall be issued in such denominations and shall bear such rate or rates of interest, payable semiannually, as may be determined by the county board. They shall be serial bonds maturing in annual series, or installments, of one or more bonds each, the first of which series, or installments, shall be due and payable not more than one year after the date of the bonds and the last not more than twenty years after such date. Such annual series, or installments, may be equal or unequal in amount, but none shall be greater than twice the amount of any previously maturing series, or installment. The principal and interest of the bonds may be made payable within or without the State of South Carolina, and in such medium of payment as may be indicated on the face of the bonds.

SECTION 2. Issue, further — registration — execution.—The bonds shall be issued as coupon bonds, payable to bearer, but may be issued with the privilege to the holder of having them registered as to principal on the books of the county treasurer, and the principal thus made payable to the registered holder, unless the last registered transfer shall be to bearer, upon such conditions as the Spartanburg County Board of Control may prescribe. The bonds shall be signed by the members of the county board, or a majority thereof, and countersigned by the Clerk of the Spartanburg County Board of Control, and the seal of the Spartanburg County Board of Control shall be affixed to, or impressed on each bond; but the coupons of the bonds need not be authenticated otherwise than by a facsimile signature of the county treasurer.

SECTION 3. Sale.—The bonds shall be sold by the county board to the highest bidder for cash upon such advertisement as the county board shall deem proper. The county board may reject any and all bids which in their judgment would not be to the best interests of the county.

SECTION 4. Exemption from taxes.—The bonds shall be exempt from all State, county, school and municipal taxes.

SECTION 5. Payment.—For the payment of the principal and interest on the bonds, the full faith, credit and taxing power of the county are irrevocably pledged and the County Auditor of Spartanburg County is hereby authorized and directed to levy annually on all taxable property in Spartanburg County a tax sufficient, but in no event less than one mill, to pay the principal and interest of all bonds issued under this act, as such principal and interest respectively become due, and the County Treasurer of Spartanburg County is hereby authorized and directed to collect such tax. *Provided*, that notwithstanding the provisions of Section 65-1570 of the 1952 Code, as amended, no property owned by any industrial or manufacturing establishment shall be exempt from the levy herein provided. *Provided*, further, that if the tax hereby levied yields an amount in excess of the sum necessary to retire the bonds, together with interest, such surplus shall be annually placed in a separate account to be utilized for the operation and maintenance of the Technical Education Center for Spartanburg County on recommendation of the county board of education and with the approval of a majority of the legislative delegation.

SECTION 6. Proceeds.—The proceeds of the sale of the bonds shall be paid to the county treasurer and deposited in a special account, to be disbursed for the purposes stated in Section 7 by the county treasurer on warrants drawn thereon by the Spartanburg County Commission for Technical Training upon properly itemized and sworn statements of the commission.

SECTION 7. Powers and duties.—From the proceeds of the bonds authorized by this act, the Technical Training Commission for Spartanburg County shall construct and equip the one or more technical training facilities in Spartanburg County. The construction and equipping of the technical center shall be under the direction of the Spartanburg County Commission for Technical Training but the plans and specifications for the technical training center must bear the written approval of the Spartanburg County Board of Education prior to the issuance of the bonds provided for herein.

SECTION 8. Saving clause.—The sections and provisions of this act are separable and not matters of mutual essential inducement, and it is intended to confer the whole or any part of the powers herein provided for; and if any of the sections or provisions or parts thereof are for any reason declared unconstitutional, it is intended that the

remaining sections and provisions or parts shall remain in full force and effect.

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1068, H2520)

No. 1229

An Act To Authorize The Treasurer Of Spartanburg County To Borrow A Sum Of Money To Be Used For Making Improvements To The County Jail, To Provide For The Payment Of The Loan And To Provide For The Supervision Of The Construction.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County may borrow money for improvements to county jail — notes — execution — interest.

—The treasurer of Spartanburg County is hereby authorized, upon approval by a majority of the county legislative delegation, including the senator, to borrow for use in making improvements to the Spartanburg County jail a sum not exceeding one hundred thirty-four thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the treasurer of Spartanburg County. The note or notes shall bear interest at not exceeding four per cent per annum from the date thereof and shall be payable in five successive, equal installments. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment—faith and credit of county pledged.

—For the payment of the note or notes the auditor of Spartanburg County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Default.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Approval of plans.—The details of the improvements made pursuant to this act, and the awarding of contracts therefor, shall be jointly determined in writing by the Spartanburg County Board and the Sheriff of Spartanburg County.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1082, H2551)

No. 1230

An Act To Authorize The Committee For Spartanburg Metropolitan Subdistrict B To Borrow Money For Subdistrict Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg Metropolitan Subdistrict B may borrow money — notes — execution — interest — purpose.—The committee for Spartanburg Metropolitan Subdistrict B in Spartanburg County is authorized to incur indebtedness and to have outstanding indebtedness evidenced by promissory notes at any given time in an amount not exceeding fifteen thousand dollars. Notes shall be executed by all members of the committee for the subdistrict and shall bear interest at a rate to be determined by the committee not exceeding six per cent per annum and shall be made payable on such dates as the committee may determine. The proceeds of loans hereby authorized shall be used for purposes of the district in extension and replacement of water lines, repair of its equipment, fire hydrants and other water works facilities.

This borrowing authority is cumulative of other authority now or hereafter existing under law.

SECTION 2. Payment.—Notes executed pursuant to the authority of this act shall be repaid from water rents received by the subdistrict from the sale of water; *provided*, that the committee shall be authorized to pledge, in addition to its water rents, the full faith, credit and taxing power of the subdistrict. The county auditor shall levy and the county treasurer shall collect a tax sufficient to repay the indebtedness herein authorized if the auditor receives from the committee instructions so to do, which instructions shall be given the auditor by the committee if and when it appears to the committee that water rents received or anticipated are not sufficient to make timely repayment of the indebtedness.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1185, H2697)

No. 1231

An Act To Provide That Certain Property May Be Added To The West View-Fairforest Fire District In Spartanburg County Upon Petition By Property Owners And Approval By The Board Of The District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County—adjoining property may be added to West View-Fairforest Fire District—procedure.—The property of any person in Spartanburg County which adjoins or is in close proximity to the West View-Fairforest Fire District may be added to the fire district upon the written petition of the property owner and the approval of the petition by the board of the district.

The property owner shall furnish the district an adequate description (by metes and bounds or by a plat) of the area to be added and the district shall annually during the month of January bring the district plat up to date, showing the area added during the previous year by filing the amended plat with the auditor and in the office of the register of mesne conveyance.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1186, H2498)

No. 1232

An Act To Create The Cannons Area Water District In Spartanburg County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provision For Borrowing By The District And Its Commission; To Make Provisions For Borrowings By The District, Including The Issuance Of Not Exceeding Four Hundred Thousand Dollars Of General Obligation Bonds; To Prescribe The Terms And Conditions Under Which Monies May Be Borrowed By The District; And To Make Provision For Their Payment.

Whereas, the General Assembly, after due investigation, has found that the area in Spartanburg County described below has become populated to an extent that makes it necessary and desirable for the health and welfare of the inhabitants to be served by a publicly operated water system, and that in addition thereto the district hereby created shall be empowered to furnish fire protection for the district; and

Whereas, as a consequence of its findings above recited, the General Assembly has deemed to construct the area as a special water district, thus providing a governing body for the district and empower the governing body as herein provided for. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County—Cannons Area Water District created—area.—There is hereby created and established in Spartanburg County a district to be known as “Cannons Area Water District”, which district shall be a public corporation of perpetual succession and shall have the functions prescribed by this act. The district shall include and be comprised of the following territory :

Beginning at a point in the western boundary line of the existing Cowpens Water District at a point approximately one-half of a mile northwest from U. S. Highway 29-A and one-half of a mile

southwest from a county road known as "Floyd's Cabin Road" and running thence in a northwesterly direction parallel to and one-half of a mile from "Floyd's Cabin Road" to the eastern boundary line of the existing Liberty-Chesnee-Fingerville Water District; thence with the eastern boundary line of the existing Liberty-Chesnee-Fingerville Water District in a northeasterly direction crossing the Clinchfield Railroad and running thence to a point one thousand (1,000) feet northeast from the Clinchfield Railroad; thence running in a southerly direction parallel to and one thousand (1,000) feet from the railroad to the Pacolet River; thence in a southerly direction with the Pacolet River to a point at which the Pacolet River intersects the northwestern boundary of the existing Cowpens Water District approximately one-half of a mile north of U. S. Highway 29-A; thence with the northwestern boundary line of the existing Cowpens Water District in a southwesterly direction to the point of beginning.

SECTION 2. Commission created — members — appointment — terms — vacancies.—The district shall be operated and managed by a commission to be known as "Cannons Area Water Commission," which shall consist of three resident electors of the district. The following persons shall constitute the initial members of the commission and shall serve for terms as follows: Webster Green for a term of two years; S. W. Scott, Jr. for a term of four years; and Howard Collins for a term of six years.

The regular terms of office of the members of the commission shall be for six years. In all cases the members of the commission shall hold office until their successors qualify. The commission, except the initial members who are named herein, shall be appointed by the Governor upon the recommendation of the legislative delegation from the county. The initial terms shall begin as of the effective date of this act. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment by the Governor upon the recommendation of a majority of the legislative delegation from the county.

SECTION 3. Powers and duties.—There is hereby committed to the district the functions of constructing, operating, maintaining, improving and extending a water distribution system, and a system for fire protection within the district. To that end, the commission shall be empowered as provided below:

1. Have perpetual succession ;
2. Sue and be sued ;
3. Adopt, use and alter a corporate seal ;
4. Make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings ;
5. Deposit monies derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities ;

6. Prescribe regulations requiring persons who shall be residents of the district to make use of any water system which the district shall place in operation. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission, a certified copy thereof has been recorded in the office of the Register of Mesne Conveyance for Spartanburg County, a copy has been posted in the Spartanburg County Courthouse and in at least two other public places in the district, and notice of the adoption of such regulations shall be published at least once for three successive weeks in a newspaper published in Spartanburg County, and having general circulation in the district. The notice shall specify in brief the scope of the regulations, and shall state the date on which they shall become effective. Prior to the adoption of the aforesaid resolution, the commission shall give public notice of the meeting which is to be held to consider their adoption, and such notice shall appear in a newspaper published in Spartanburg County, and having general circulation in the district, no less than seven days prior to the occasion fixed for the holding of such meeting. The provisions of this paragraph, prescribing conditions upon the effectiveness of regulations adopted to require compulsory use of water facilities, shall not be deemed to impose conditions upon the making or adoption of any other type of regulation authorized by this act ;

7. Acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein ;

8. Build, construct, operate, acquire and maintain water lines and water mains throughout the district, and all apparatus necessary for the proper functioning of the same, and from time to time to enlarge and extend the same ;

9. Establish, operate and maintain a system of fire protection as the commission deems feasible and practicable ;

10. Purchase, or otherwise acquire, a supply of water for its water distribution system, and to that end to build, construct, acquire, main-

tain and operate water tanks, reservoirs, pumps, wells, existing mains and distribution systems, and such other apparatus as may be necessary to obtain and distribute water, and to enter into contracts for the purchase of water at wholesale;

11. Distribute and sell water on such terms and rates as it shall from time to time approve. To that end the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates and charges for water furnished by its water distribution system. The commission shall be further empowered to sell water beyond the limits of the district, on such terms as it shall approve, wherever it shall be economically feasible to do so;

12. Make use of county and State highway rights of way in which to lay the pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve;

13. Exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Chapter 3, Title 25, of the 1952 Code, or by following the procedure for the exercise of eminent domain by the State Highway Department, prescribed by Article 2, Chapter 3, Title 33, of the 1952 Code;

14. Appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties;

15. Make contracts for construction, engineering and other services, with or without competitive bidding;

16. Issue, under the conditions prescribed by Section 4 of this act, general obligation bonds of the district, in the amount not exceeding four hundred thousand dollars;

17. In addition to the powers given by paragraph 16 of this section, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness payable solely from all or any part of the revenues derived from the operation of any revenue-producing facility. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of its water system, or such sum as may be needed to pay the cost of any extension, addition and improvement to the water system. If the method of financing authorized by this paragraph is used, neither the faith and credit of the State of South

Carolina, nor of Spartanburg County, nor of the district shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligation shall be personally liable thereon. That a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 9, Chapter 3, Title 59, and by Chapter 5, Title 59, of the 1952 Code. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any such Code provision, the district may:

(a) Provide that such bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of any revenue-producing facility, as such net revenues may be defined by the commission;

(b) Covenant and agree that upon its being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable notwithstanding that any of them may not have then matured;

(c) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and also of all revenues derived from the operation of the revenue-producing facility, whose revenues are pledged for the payment of such obligation, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness;

(d) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve;

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve;

(f) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount;

(g) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation, or any subdivision or division of the State;

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given;

(i) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 4. Issuance of bonds authorized if election favorable.—The commission, on behalf of the district, shall be empowered to issue not exceeding four hundred thousand dollars of general obligation bonds of the district, whose proceeds shall be used to defray the cost of constructing and establishing a water system in the district. For the purpose of this section, the term “construct and establish” shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises acquired, which are deemed necessary for such water system, the cost of acquiring existing water systems lying within the district, the cost of all machinery and equipment needed therefor, payments to contractors, laborers or others for work done or material furnished, financing charges, interest prior to and during construction and for six months after completion of construction, cost of engineering service, legal service, legal expenses, plans, specification, surveys, administrative expenses, and such other expenses as may be necessary or incident to the construction of the water system, and the placing of the same in operation. General obligation bonds shall be issued only in the event the election required by Section 5 of this act shall result favorably. All or any general obligation bonds issued pursuant to this act may be additionally secured by a pledge of the net revenues to be derived from the operation of any revenue-producing facility operated and maintained by the district. The words “net revenues” as used in this paragraph shall mean that sum remaining from the aggregate of all monies realized by the district from rates and charges imposed and collected after paying the cost of operation and maintenance of the facility, whose revenues shall be pledged: If, pursuant to this paragraph, general obligation bonds are issued:

(a) They shall be issued as a single issue or from time to time as several separate issues. They shall bear such date or dates as the commission shall determine and the bonds of any issue shall mature in such equal or unequal installments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe, and they shall bear interest at such rate or rates, and shall be payable in such manner as the commission may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Spartanburg County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity, on such terms and conditions, and with such redemption premium as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of such bonds, shall be published in a newspaper of general circulation in the State. In offering the bonds for sale, the commission shall reserve the right to reject any and all bids, and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act 730 of 1952.

(d) Such bonds shall be executed in the name of Cannons Area Water District by the Chairman and Secretary of Cannons Area Water District Commission, under the seal of the district. The coupons attached to such bonds may be authenticated by the facsimile signatures of the chairman and the secretary of the commission who are in office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in officers or seal occurring after such execution and authentication.

(e) There shall be irrevocably pledged for the payment of the bonds and interest as they mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Spartanburg County are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds

and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The bonds may be additionally secured by a pledge of the net revenues which the district may derive from the operation of any revenue-producing facility. In such event, such net revenues as shall be available shall be delivered to the Treasurer of Spartanburg County, and he shall set them apart in a special fund and apply them solely to the payment of the principal and interest of the bonds, so additionally secured by a pledge of such net revenues, so long as any principal or interest of the bonds remain outstanding. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues, as aforesaid, actually in the hands of the Treasurer of Spartanburg County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such monies on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(f) The pledge of net revenues authorized by subparagraph (e) of this section need not, in the discretion of the commission, be exclusive, and the commission may reserve the right to issue further bonds payable in whole or in part from such net revenues on a parity with the bonds authorized by this paragraph under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Spartanburg County in a separate and special fund, and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others, except that any premium received shall be deposited with the Treasurer of Spartanburg County and applied by him to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Spartanburg County to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds, nor any subsequent holders thereof, shall be responsible for the proper application of the proceeds of sale.

SECTION 5. Conduct of election.—The commission shall make provision for the holding of a special election in the district on a date to be fixed by the commission, at which time there shall be submitted to the qualified electors of the district the question of issuing bonds of the district for the purposes authorized by Section 4 of this act. The election shall be conducted by the Commissioners of Election for

Spartanburg County, who shall give notice of the election by publication once each week, for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted at the several voting precincts in the district, as they are now established by law. The question submitted shall show on its face the primary purpose or purposes for which the proceeds of the bond issue are to be expended, and with the blank set forth therein appropriately completed. The question shall be submitted in substantially the following form:

“Shall the Cannons Area Water District issue bonds in a sum not exceeding four hundred thousand dollars, the proceeds of which shall be used to construct, acquire and establish a waterworks system for the District?”

YES

NO”

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds, he shall erase or strike through the word “NO” and that if he is opposed to the issuance of bonds, he shall erase or strike through the word “YES”. The managers of election at each precinct shall count the ballots and forthwith return the results of the election, together with the original ballots and tally sheets, to the Commissioners of Election of Spartanburg County who shall declare the results of the election. If the commissioners determine that a majority of those voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in Section 4 of this act, but if the commissioners determine that a majority of the ballots cast in the election be against the issuance of bonds, then no bonds shall be issued in accordance with the provisions of the South Carolina Election Law. The results of the election shall be filed within ten days after the election with the Clerk of Court of Spartanburg County and with the Secretary of State.

SECTION 6. Powers and duties.—The commission is authorized to do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1191, H2714)

No. 1233

An Act To Amend Section 2 Of Act 1189 Of 1958, Relating To The Boiling Springs Fire District Board In Spartanburg County, So As To Provide That The Members Of The Board May Be Elected Instead Of Appointed If Twenty Per Cent Of The Qualified Electors Of The District Petition For Their Election.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2 of Act 1189 of 1958 amended—**Spartanburg County—Boiling Springs Fire District Board—members—terms—election—reports.**—Section 2 of Act 1189 of 1958 is amended by striking the second and third sentences in their entirety and inserting in lieu thereof the following: “*Provided*, however, that if at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a six-year term. Thereafter members shall be elected in each succeeding general election for terms of six years.”, so that when amended the section shall read as follows:

“Section 2. There is hereby established a fire control board for the Boiling Springs Fire District in Spartanburg County to be composed of three members who shall be appointed by the Governor upon the recommendation of a majority of the Spartanburg County Legislative Delegation for a term of six years. *Provided*, however, that if at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a six-year term. Thereafter members shall be elected in each succeeding general election for terms of six years. The members of the board shall serve without pay and shall file annually a report with the Spartanburg County Board of Control not later than November first of each year, showing all activities and disbursements made by the board during the year.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1192, H2715)

No. 1234

An Act To Amend Section 2 Of Act 1195 Of 1958, Relating To The West View-Fairforest Fire District Board In Spartanburg County, So As To Provide That The Members Of The Board May Be Elected Instead Of Appointed If Twenty Per Cent Of The Qualified Electors Of The District Petition For Their Election.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 1195 of 1958 amended—**Spartanburg County—West View-Fairforest Fire District Board—members—terms—election—reports.**—Section 2 of Act 1195 of 1958 is amended by striking the second and third sentences in their entirety and inserting in lieu thereof the following: “*Provided*, however, that if at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a six-year term. Thereafter members shall be elected in each succeeding general election for terms of six years.”, so that when amended the section shall read as follows:

“Section 2. There is hereby established a fire control board for the West View-Fairforest Fire District in Spartanburg County to be composed of three members who shall be appointed by the Governor upon the recommendation of a majority of the Spartanburg County Legislative Delegation for a term of six years. *Provided*, however, that if at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a six-year term. Thereafter members shall be elected in each succeeding general election for terms of six years. The members of the board shall serve without pay and shall file annually a report with the Spartanburg County Board of Control not later than November first of each year, showing all activities and disbursements made by the board during the year.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1219, H2618)

No. 1235

An Act To Provide For The Holding Of Elections In Startex-Jackson-Wellford-Duncan Water District In Spartanburg County, And In The Adjoining Area Known As The Reidville Area To Determine Whether The Reidville Area Shall Become A Part Of The Water District And To Determine Whether Additional Bonds Of The District Shall Be Issued If The Reidville Area Shall Become A Part Of The Water District; To Make Provision For Borrowing By The District, If The Elections Result Favorably; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District; To Make Provision For The Repayment Thereof; To Repeal Act 673 Of 1957 And Act 1185 Of 1958, Relating To The Reidville Water District In Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds:

(1) Heretofore by Act 673 of 1957, the General Assembly created certain territory in Spartanburg County, more fully described in Section 1 of the act, into "the Reidville Water District", and did by Act 673 of 1957 and by Act 1185 of 1958 undertake to make provision whereby the inhabitants of the area might be served by a publicly operated water system.

(2) Following such enactments, engineering studies were made to determine the financial feasibility of the plan authorized by the legislation, and studies then made indicated that the plan was not financially feasible. Further study has been made to determine a practical method by which a public water system may be made available to a majority of those who would have received such service had the plan contemplated by the legislation proved successful.

The General Assembly has taken note that the area hereinafter described is adjacent to portions of the Startex-Jackson-Wellford-Duncan Water District in Spartanburg County (hereinafter called "Startex"), a special purpose district created by Act 1105 of 1956, and thereafter enlarged by Act 1181 of 1958 and Acts 1125 and 1128 of 1960.

Engineering studies have been made which would indicate that if this area should be annexed to and become a part of Startex it might be served through extensions and additions to the existing Startex

system. Such a plan would involve the issuance of further bonds of Startex (in addition to one hundred thousand dollars of bonds authorized by legislation already enacted by the General Assembly at its 1962 session).

After due consideration, the General Assembly has determined to provide a method by which this can be accomplished, but to permit it only if: (a) an election be held in the area to be annexed and shall result favorably; (b) an election be held in Startex, as now constituted and shall result favorably; and (c) the question of the issuance of bonds to the extent necessary to provide service in the annexed area be submitted to the Startex district as enlarged (if the elections on such annexation shall result favorably).

SECTION 2. Area annexed if election favorable.—The Startex Commission may declare annexed to and incorporated into the Startex District, if the elections required by Section 3 of this act shall be held and shall result favorably, the following described territory in Spartanburg County, South Carolina:

Beginning at a point 1000 feet east of Highway No. 222 and 1000 feet south of P. & N. Railway and running in an easterly direction parallel to the P. & N. Railway to North Tyger River; thence down North Tyger River to a point $\frac{1}{2}$ mile south of State Highway No. 296; thence running in a southwestern direction parallel to State Highway No. 296 to a point a distance of 1 mile from the intersection of Highway 42-62 and State Highway No. 296, continuing in a westerly direction around southern boundary of Town of Reidville a distance of 1 mile radius from the intersection of Highway No. 42-62 and State Highway No. 296 to a point a distance of $\frac{1}{2}$ mile south of State Highway No. 296; thence in a southwestern direction parallel to State Highway 296 to a point across and $\frac{1}{2}$ mile west of State Highway No. 101; thence in a northwestern direction parallel to State Highway No. 101 to a point across and $\frac{1}{2}$ mile north of Interstate Highway No. I-85; thence in an easterly direction parallel to Interstate Highway No. I-85 to a point $\frac{1}{2}$ mile east of Highway No. 42-62; thence in a northern direction parallel to Highway No. 42-62 to a point a distance of $\frac{1}{2}$ mile from the southern boundary of the Town of Duncan; thence in an easterly direction and parallel to the southern boundary of the Town of Duncan to a point 1000 feet southwest of State Highway No. 290; thence

in a southeastern direction and parallel to State Highway No. 290 to a point 1000 feet south of intersection of State Highway No. 290 and Highway No. 42-222; thence in a northwestern direction parallel to Highway No. 42-222 to point of beginning. The above area is described on plat entitled 'Map of Reidville Area Water District, prepared by Lockwood Greene Engineers, January 17, 1962', and recorded in Plat Book 43, page 583, R. M. C. Office for Spartanburg County.

which, for the purpose of convenience, is hereinafter referred to as "the Reidville Area". Such action shall be taken by resolution of the Startex Commission and certified copies thereof shall be subsequently filed in the offices of the Auditor, Treasurer and Clerk of Court of Spartanburg County.

SECTION 3. Election concerning annexation.—The Commissioners of Election of Spartanburg County shall conduct a special election in the Startex District and in the Reidville Area on some date following the occasion when a plat of the Reidville Area shall have been made and shall have been filed in the offices of the Auditor, Treasurer, and Clerk of Court of Spartanburg County, and on a date prior to the date of the first publication of the notice of election, for the purpose of submitting to the qualified electors of the Startex District and the Reidville Area the following question:

Shall the territory in Spartanburg County (known as the Reidville Area) described on a plat entitled "Map of Reidville Area Water District, prepared by Lockwood Greene Engineers, January 17, 1962" and recorded in Plat Book 43, page 583, in the R. M. C. Office for Spartanburg County, be annexed to and become a part of Startex-Jackson-Wellford-Duncan Water District in Spartanburg County, South Carolina?

YES

NO

SECTION 4. Election concerning issuance of bonds.—On some occasion either simultaneously with the elections to be conducted pursuant to Section 3 of this act, or on some occasion subsequent thereto selected by the Commissioners of Election, there shall be held in the Startex District (as enlarged if the bond election be held subsequent to the annexation elections), or, if the bond election herein required be held simultaneously with the annexation elections required by Section 3 above, in the Startex District as

now constituted and in the Reidville Area as above described, a special election upon the question of the issuance of not exceeding three hundred fifty thousand dollars of general obligation bonds of Startex District as enlarged by the annexation of the Reidville Area, whose proceeds shall be applied to the cost of extending and enlarging the water distribution system of the Startex District so that it will provide water distribution service to the Reidville Area. The question to be submitted at such election shall be in form substantially as follows:

Shall Startex-Jackson-Wellford-Duncan Water District as enlarged by virtue of annexation of the Reidville Area (now or hereafter accomplished), be empowered to issue not exceeding three hundred fifty thousand dollars of general obligation bonds of Startex District as thus enlarged, for the purpose of providing funds to defray the cost incident to the extension and enlargement of the water distribution system of the Startex District so as to provide service in the Reidville Area?

YES

NO

SECTION 5. Powers and duties.—The Commissioners of Election of Spartanburg County, in order to accomplish the directives of Sections 3 and 4 shall be empowered as follows:

(1) To set a date and conduct the special election as prescribed by Sections 3 and 4.

(2) To give notice of the holding of such election by publication of notice thereof not less than once a week for three successive weeks prior to the occasion fixed for the holding of such election, in one or more newspapers of general circulation in Spartanburg County. Each notice shall state the question or questions to be submitted, and the question relating to the issuance of bonds shall clearly set forth the amount of bonds proposed to be issued.

(3) To prescribe the form of ballot (in accordance with the instructions set forth in this act) to be used in such elections, and to cause an appropriate number of ballots to be printed. Each ballot shall contain suitable instructions advising each voter that if he favors the affirmative of the question voted upon, he shall erase or strike through the word NO, and that if he favors the negative of the question, he shall erase or strike through the word YES.

(4) Appoint necessary managers at each precinct in whole or in part in the Startex District and in the Reidville Area.

(5) To receive the returns of the Managers and declare the results of the elections.

Except as herein provided, the elections shall be conducted in accordance with the South Carolina Election Law.

SECTION 6. Bonds may be issued if election favorable.—If a majority of those voting upon the question of the issuance of bonds (such majority to be determined collectively rather than separately in the Startex District and in the Reidville Area, as required for the purpose of annexation), then in such event, the Startex District Commission shall be authorized and empowered to issue general obligation bonds of Startex District (as enlarged by the annexation of the Reidville Area), in the aggregate principal amount of not exceeding three hundred fifty thousand dollars. The proceeds of the bonds shall be used to defray the cost of constructing and establishing suitable enlargements and additions to the water distribution system of the Startex District, to render service to the Reidville Area.

SECTION 7. Dates—maturity—redemption.—All bonds issued pursuant and to this act shall bear such date as the Startex Commission (hereinafter called the Commission) shall determine, and shall mature in such equal or unequal annual instalments as may be determined by the Commission, except that the first maturing bonds shall mature not later than three years from their date and the last maturing bonds shall mature not later than thirty years from their date. They shall be made payable at such place or places as the Commission shall prescribe, and such bonds shall bear interest at such rate or rates as shall be designated by the successful bidder at the sale thereof, subject to such limitations and restrictions as the Commission may impose. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Spartanburg County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Commission may prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the Commission shall prescribe.

SECTION 8. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to the

sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a daily newspaper of general circulation published in South Carolina. In offering the bonds for sale the Commission may reserve the right to reject all bids, but if all bids are rejected, the bonds shall be re-advertised for sale in the same manner. If a second call for bids shall produce results unsatisfactory to the Commission, the Commission shall be empowered to effect a private sale of the bonds authorized hereby.

SECTION 9. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act 730 of 1952.

SECTION 10. Execution.—All bonds issued pursuant to this act and the coupons to be appertaining thereto shall be executed in such manner as the Commission shall prescribe.

SECTION 11. Payment.—For the payment of the bonds, both principal and interest, as they respectively mature, the full faith, credit, resources, and taxing power of the District shall be pledged, and there shall be levied and collected by the Auditor and Treasurer, respectively, of Spartanburg County, an ad valorem tax upon all taxable property in the District without limitation as to rate or amount, sufficient to pay the interest on the bonds and the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected shall be held by the Treasurer of Spartanburg County separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act.

SECTION 12. Proceeds.—The proceeds derived from the sale of bonds issued pursuant to this act shall be deposited with the Treasurer of Spartanburg County in a separate and distinct fund and shall be expended upon the warrant or orders of the Commission for purposes for which the bonds are issued, provided that the purchasers of any bonds, or any subsequent holders thereof, shall be in no wise responsible for the proper application of such proceeds.

SECTION 13. Powers to be additional.—The power and authority hereby conferred shall be in addition to all presently existing power and authority, and not in abrogation thereof.

SECTION 14. Repeal.—Act 673 of 1957 and Act 1185 of 1958 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1236, H2728)

No. 1236

An Act To Amend Act 1101 Of 1956, As Amended, Relating To The Woodruff-Roeback Water District In Spartanburg County, So As To Provide For The Election Of The Commissioners, And To Repeal Act 524 Of 1959, Relating To The Woodruff-Roeback Water District Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 1101 of 1956 amended—managed by commission members—terms—vacancy—compensation.—Section 2 of Act 1101 of 1956, as amended, is further amended to read as follows:

“Section 2. The district shall be operated and managed by a commission to be known as ‘Woodruff-Roeback Water District Commission’ which shall consist of three persons, one of whom shall reside north of Big Ferguson Creek and two of whom shall reside south of Big Ferguson Creek. The terms of office of the members of the commission shall be for six years and until their successors are elected and qualify. Upon the termination of office of any commissioner his successor shall be elected in the general election and shall begin his term on December first immediately following the general election. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise shall be filled for the remainder of the unexpired term by appointment by the Governor upon the recommendation of a majority of the Spartanburg Legislative Delegation, including the Senator. The salary of the commissioners herein shall be three hundred dollars each annually.”

SECTION 2. Act 524 of 1959 repealed.—Act 524 of 1959 is repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1238, H2627)

No. 1237

An Act To Make Supplemental Appropriations For Spartanburg County For The Fiscal Year 1961-1962 From The General Fund Of The County; And To Validate Certain Disbursements, Expenditures And Actions Authorized By The Legislative Delegation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby appropriated from the General Fund of Spartanburg County, as a supplemental appropriation for the fiscal year 1961-1962, the following:

Operation and upkeep, county-owned cars	\$ 6,000.00
Telephone service	1,500.00
Transcripts and Inquests	150.00
County Court—Jurors, Witnesses and Bailiffs	6,000.00
Medicine—County Jail	600.00
Dieting Prisoners and expense	3,500.00
Additional amount for Special Tax Collector for the fiscal year ending June 30, 1962	4,000.00
Technical Training School	5,000.00
Pacolet Armory—for equipment	1,000.00
<i>Provided</i> , that an equal amount is obtained from other sources.	

W. D. Finch, Supervisor, for use on the Technical School Grounds and for either the rental or purchase of a tractor and sheep-foot roller, in the discretion of the Supervisor	5,000.00
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Committee from the Planning & Development Commission, Peach Growers' Association and the Delegation—to promote the processing of fruits and vegetables	1,000.00
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Additional Registration Board

Clerical Help, 39 days @ \$24 ...\$	936.00	
Travel, 3 cars, 42 days @ \$2...	252.00	
Meals, 42 days (6 persons)	126.00	1,314.00
Books for Law Library		1,248.85
Voting Machine Expenses		300.00
Additional funds Treasurer's Office for overtime work in refunding of taxes in School District 9-H ..		925.40

Additional funds Special Tax Collector's Office for overtime work in refunding of taxes in School District 9-H	238.75
Index Books, shelving and etc. to replace clerk in Probate Judge's Office	1,835.75
Total	\$ 39,612.75

SECTION 2. The following disbursements, expenditures and actions authorized by the Legislative Delegation from Spartanburg County are hereby validated:

(a) The use of \$1,047.00 of unused funds in the Supervisor's appropriation to pay the drug, medicine and miscellaneous bills for fiscal year ending June 30, 1961;

(b) The transfer from the Miscellaneous Account in the Supervisor's appropriation in the amount of \$658.28 in order to take care of deficient items for doctors, medicine and office supplies for the fiscal year ending June 30, 1961;

(c) The expenditure of \$850.00 for the purchase of a flag pole;

(d) The change of the \$400 in the Coroner's appropriation from official expenses to travel expense;

(e) \$2,500.00 for five volunteer fire departments;

(f) \$274.92 increase in salary for the County Court Reporter, effective December 1, 1961 through June 30, 1962;

(g) Loan in the amount of \$3,000.00 to the Commissioners of Reidville Water District Commission;

(h) Loan in the amount of \$4,000.00 to Cannon's Camp Ground Water District Commission;

(i) Appropriation of \$1,905.81 for an extra jailor;

(j) Payment of \$704.26 for the appeal cost from the General Funds of Spartanburg County in the case of State vs. B. F. Worthy;

(k) Transfer of \$1,000.00 from the Supervisor's Machinery and Repair Account for the purpose of purchasing a trailer;

(l) Not exceeding \$250.00 for the purchase of a recording machine for the Coroner;

(m) Appropriation of \$200.00 to pay for one-third of the cost of the lights, heat and bedding for all volunteer fire departments;

(n) Transfer \$876.93 from the Probate Judge's unused appropriation for clerical help to the office of R. M. C., for the fiscal year ending June 30, 1962; and

(o) To credit funds accrued to Spartanburg County from the State Department of Public Welfare for maintenance, etc., in excess of \$300.00 to the Spartanburg Office of the Department of Public Welfare;

(p) To pay for jail engineering costs to Lockwood Greene \$1,-717.66;

(q) Law Librarian \$300.00;

(r) The local register of Vital Statistics for Districts 4000 AC is to be compensated for certificates filed in 1960-1961.

(s) The Special Auditor is to be reimbursed for Audits made of the Metropolitan District for 1960-1961 in the amount the said District has remitted.

(t) Secretary to Delegation \$200.00;

(u) For payment to the State Department of Corrections for maintenance and safekeeping of certain prisoners from Spartanburg County \$768.15.

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1248, H2700)

No. 1238

An Act To Amend Section 16 Of Act No. 556 Of The Acts Of 1929, Relating To The Installation And Construction Of Lateral Lines For Sewer Systems In Subdistricts Within The Spartanburg Metropolitan District, So As To Make Further Provision Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16 of Act 556 of 1929 amended—petition.—Section 16 of Act No. 556 of the Acts of 1929 is amended by adding at the end thereof the following: "*Provided*, that after July 1, 1962, the petition required by this section need be signed by only ten per cent rather than one-third of the freeholders of the proposed sub-district."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1276, H2721)

No. 1239

An Act Relating To The Fiscal Affairs Of Spartanburg County, Making Appropriations Therefor, Levying Taxes For The Fiscal Year Ending June 30, 1963, And Abolishing The Office Of Tax Collector And Devolving His Duties Upon The Treasurer.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax levy of thirty-one mills is hereby levied on all taxable property in Spartanburg County for county and school purposes for the fiscal year beginning July 1, 1962, and ending June 30, 1963, for the amounts and purposes hereinafter mentioned and set forth herein:

ITEM 1. ADMINISTRATIVE DEPARTMENT**(A) 1. Auditor's Office**

Salary, Auditor\$ 3,666.60

The annual salary of the County Auditor shall be paid from State and County funds and shall not exceed \$7,478.62, and the appropriation for County Auditor shall be adjusted accordingly.

Travel and Official Expenses, Auditor 650.00

Chief Clerk (A) 4,357.50

Senior Clerk (C) 3,089.65

Senior Clerk (C) 3,335.89

Senior Clerk (C) 3,089.65

Recording Clerk (F) 2,289.53

Recording Clerk (D) 2,818.10

Map Book Clerk (one-half salary) (D) 1,840.13

The clerk who maintains the property map installed in the office of County Auditor shall also verify all automobile registrations. The payment of such clerk is contingent upon the City of Spartanburg paying an equal amount.

2. Board of Assessors and Equalization :

Outside City 2,000.00

Travel 650.00

The Board of Assessors and Equalization for outside the city shall be paid \$10.00 each per day and seven cents per mile one trip.

Provided, that of the \$2,000.00 above appropriated the County Auditor may expend the sum of \$600.00 for clerical help for the Board of Assessors.

Spartanburg City	2,457.00
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The salaries for the Board of Assessors and Equalization for Spartanburg City shall be prorated on the basis of three-fifths to be paid by Spartanburg County and two-fifths by the City of Spartanburg.

Extra Clerical Help	3,450.00
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Extra clerical help to be expended in accordance with county personnel and salary policies.

Automobile Registration Cards	250.00
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Total, Sections (A) 1, and (A) 2	\$ 33,944.05
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(B) Treasurer's Office

Salary, Treasurer	\$ 3,666.60
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The annual salary of the County Treasurer to be paid from State and County funds shall not exceed \$7,478.62 and the appropriation for County Treasurer shall be adjusted accordingly. Profit from the sale of Revenue Stamps shall accrue to the County Treasurer.

Assistant Treasurer (A)	4,357.50
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Receiving-Paying Teller (B+)	4,357.50
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Receiving-Paying Teller (B+)	4,357.50
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Receiving-Paying Teller (B)	3,709.44
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Senior Clerk (C)	3,335.89
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Bank Charges	100.00
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Total, Section (B)	23,884.43
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(C) Clerk of Court's Office

Salary, Clerk of Court	7,478.62
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Deputy (A)	4,357.50
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Senior Clerk (C)	3,089.65
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Clerk-Stenographer (D)	2,818.10
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Clerk-Stenographer (F)	2,289.52
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Total, Section (C)	20,033.39
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(D) Office of Register Mesne Conveyances	
Salary, Register Mesne Conveyances	7,478.62
Deputy Clerk (A)	4,357.50
Senior Clerk (D)	3,155.25
First Clerk (E)	2,394.00
Index Clerk (E)	2,394.00
Photo Copy Machine Operator (D)	2,930.39
Microfilm Operator (D)	3,042.69
Recording Clerk (E)	2,601.31
Recording Clerk (E)	2,497.66
Recording Clerk (E)	2,497.66
Recording Clerk (F)	2,289.52
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Total, Section (D)	35,638.60
All fees collected by the Register of Mesne Conveyances for making copies of all certifications shall accrue to that office.	
(E) Office of County Board	
County Board Members	1,890.00
Clerk and Secretary, County Board	6,468.00
Travel, Clerk and Secretary	900.00
Assistant Clerk (A)	4,357.50
Senior Clerk (C)	3,458.70
Clerk-Stenographer (F)	2,289.53
County Board Contingent	2,500.00
County Attorney	2,100.00
County Physician	1,748.68
The appropriation for the County Physician for medical work at the County Jail and Farm includes V. D. treatment of county prisoners at County Jail.	
Examination of the mentally ill	3,600.00
<i>Provided</i> , no physician shall be paid in excess of ten dollars for any one examination.	
Insurance—County-owned cars	200.00
Operation and upkeep—County-owned cars..	6,000.00
Workmen's Compensation Insurance	8,750.00
Stationery and supplies for all County offices.	36,000.00
Bonds of Officers and County Officials	1,650.00
Office Equipment	4,000.00

RMC office, incidentals and convention expense	600.00
Telephone service	10,000.00
PBX Operator (F)	2,289.53
Clerk-Typist (F)	2,289.53
Salary—Voting Machine Service	630.00
Voting Machines—Maintenance and transportation	600.00
County Block Map Construction	7,000.00

The above appropriation, together with the balance of prior appropriations for this purpose, shall be expended for the construction of a County Block Map and Cross Index System. This project shall be contracted for by the County Board of Spartanburg County upon specifications to be adopted by the County Delegation. The Map and Index System shall be designed to be administered under the auditor's office.

Total, Section (E)	109,321.47
(F) Delinquent Tax Collections	18,900.00

Total, Section (F)	18,900.00
(G) Superintendent of Education	
Salary, Superintendent of Education	2,714.25
The total amount of salary for the Superintendent of Education from any State or County source shall not exceed \$7,478.62, and the above appropriation shall be adjusted accordingly.	
Travel, Superintendent of Education	800.00
The travel allowance for the Superintendent of Education is for travel within the county. Expenses for travel outside the county shall be approved by the County Board of Education.	
Assistant Superintendent of Finance and Purchasing	5,250.00
Travel, Assistant Superintendent of Finance and Purchasing	500.00

Chief Clerk (B)	3,990.00
Secretary (C)	3,335.89
Clerk-Stenographer (D)	2,818.10
Clerk-Typist (part time) (D)	1,521.35
Visiting Teacher—Chief	551.25
Travel—Visiting Teacher—Chief	575.00
Visiting Teacher	3,387.30
Travel—Visiting Teacher	475.00
Adult Education	6,000.00
Adult Education—Pacolet	1,000.00

Total, Section (G) 32,918.14

(H) Office of Special Auditor

Salary, Special Auditor	6,468.00
Chief Clerk (B)	3,990.00
Senior Clerk—Vital Statistics (C)	3,458.70
Clerk-Stenographer (D)	2,818.10
Verification, Highway Fines	200.00
Vital Statistics	100.00

Total, Section (H) 17,034.80

TOTAL, ITEM 1\$291,674.88

ITEM 2. JUDICIAL DEPARTMENT

(A) Court of Common Pleas and General Sessions,
Seventh Judicial Circuit

Jurors, witnesses and bailiffs	\$ 36,500.00
Stenographer for Circuit Solicitor	600.00
Assistant Solicitor	742.88
Court Bailiff—Circuit and County Courts ..	2,625.00
Transcripts and Inquests	1,500.00
Circuit Court Stenographer	266.66
Printing Bar Roster	800.00

Total, Section (A) 43,034.54

Clerk—Law Library 1,200.00

1,200.00

(B) County Court	
Jurors, witnesses and bailiffs	25,000.00
Salary, Judge	10,600.00
Salary, Solicitor	5,197.50
Stenographer for Solicitor	630.00
Court Stenographer	4,200.00
The County Court Stenographer is authorized to charge the same rate for transcripts as the Circuit Court Stenographer charges and such revenue shall accrue to the County Court Stenographer.	
Total, Section (B)	45,627.50
(C) Juvenile Court	
Salary, Judge (part time)	4,129.12
Probation Officer	5,512.50
Travel, Probation Officer	1,200.00
Assistant Probation Officer	4,593.75
Travel, Assistant Probation Officer	1,200.00
Assistant Probation Officer	4,567.50
Travel, Assistant Probation Officer	1,200.00
Clerk-Stenographer (C)	3,458.70
Court Expenses, conveying probationers, detention care, etc.	3,400.00
<i>Provided</i> , that the amount herein provided for regular travel within the county of probation officers shall be paid on the basis of seven cents per mile for travel on official business, upon duly itemized sworn statements approved by the Judge of the Children's Court, filed with the County Board of Spartanburg County. Travel allowance for which payment is made for any one month shall not exceed 1600 miles, and in no event shall the annual amount paid under this appropriation exceed the sums herein provided for such annual appropriation.	
Total, Section (C)	29,261.57
(D) Civil Courts of Spartanburg	
Salary, Judge of Civil Court	6,468.00

Salary, Judge of Civil Court	6,468.00
Two Spartanburg City-Special Constables at \$1,137.50 each	2,275.00
Salary, Clerk-Stenographer (C)	3,458.70
Clerk-Stenographer (D)	2,818.10
Clerk-Stenographer (D)	3,155.25
Clerk-Stenographer (C)	2,966.52
Clerk-Stenographer (D)	2,705.80
Jurors for Civil Courts	300.00
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Total, Section (D)	30,615.37
(E) Judge of Probate's Office	
Salary, Judge of Probate	7,478.62
Assistant to Judge of Probate (A)	4,357.50
Secretary (C)	3,335.89
Senior Clerk (C)	3,458.70
Recording Clerk (F)	2,384.55
Recording Clerk (F)	2,479.58
When the Probate Judge directs a lunacy case or cases to be carried to the State Hospital or similar institution in the State, it shall be the duty of the Sheriff to convey such prisoners in a county-owned car.	
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Total, Section (E)	23,494.84
(F) Master's Office	
Salary, Master	7,478.62
Assistant to Master (A)	4,357.50
Clerk-Stenographer (D)	2,705.80
Clerk-Stenographer (F)	2,289.53
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Total, Section (F)	16,831.45
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TOTAL, ITEM 2	\$190,065.27
ITEM 3. LAW ENFORCEMENT DEPARTMENT	
Sheriff's Office	
Salary, Sheriff	\$ 10,000.00
Travel and Official Expenses of Sheriff	2,200.00
Salary, Deputy Sheriff	5,190.15
Travel and Expenses, Deputy Sheriff	1,800.00
Clerk-Stenographer (D)	3,155.25

Identification Work, etc.	1,500.00
For special work, identification and sundry expenses payable on demand of Sheriff.	
Rural Police:	
1 Chief	5,190.15
Travel, Chief of Rural Police	1,800.00
1 Lieutenant	4,837.35
1 Lieutenant	4,837.35
5 Rural Police at \$4,500.30	22,501.50
17 Rural Police at \$4,046.70	68,793.90
16 Travels at \$2,352.00	37,632.00
Detectives:	
1 Captain	5,118.75
3 Detectives at \$4,740.75	14,222.25
1 Record Clerk	4,628.40
Bookkeeper and Cashier	4,500.30
Radio Operators:	
2 at \$4,500.30	9,000.60
Clothing allowance for Rural Policemen and plain clothes men	8,875.00
No rural policeman who wears a uniform shall receive in excess of two hundred thirty-five dollars each.	
Those serving as detectives, jailors, radio dispatchers, deputy sheriff and other plain clothes officers shall not receive in excess of one hundred sixty dollars each for clothes allowance. Such uniforms and clothes shall be paid for by the County Board upon receipt of an order approved by the Sheriff. All such uniforms, clothes, equipment, and supplies furnished by the Sheriff's office to the Rural Policemen, Jailors and Deputy Sheriff shall be returned to the Sheriff's office immediately after such officer shall cease to be employed by the county, upon demand by the Sheriff.	
Conveying Prisoners	2,600.00
This appropriation shall be disbursed at the rate of seven cents a mile upon itemized sworn statements filed with the County Board and	

approved by the Sheriff. All appropriations for travel for the office of Sheriff, including all rural policemen and detectives, shall be paid on the basis of seven cents a mile for travel on official business upon duly itemized sworn statements filed with the County Board of Spartanburg County each month. Travel allowance for which payment is to be made for any one month shall not exceed more than 2800 miles. The County Board is authorized to pay any policeman who uses his own car that portion of the insurance premium which is charged to said officer by reason of the extra hazardous employment clause, such amount to be paid out of the general fund of Spartanburg County upon duly approved claims. *Provided*, Spartanburg County is limited to paying only the liability and property damage insurance.

Arsenal Replacement	800.00
Prison Clothes	1,200.00
Dieting of prisoners not confined at the County Jail not to exceed fifty cents per meal subject to approval of payment by Sheriff ...	100.00
Repairs—County Police Radios	1,500.00
Engineer and Maintenance for City-County Police Radio	6,565.50

Provided, the county pays \$6,565.50 and the city pays \$6,565.50 for the City-County Police Radio. *Provided*, further, the above appropriation shall be expended according to the budget submitted by the City of Spartanburg not to exceed a total amount of \$13,131.00 for county and city. *Provided*, the operation of the City-County Radio and the Radio Engineer of the City-County Radio system shall be under and subject to the administrative control of the Sheriff of Spartanburg County insofar as County affairs are concerned. *Provided*, further, the County Board of Spartanburg Coun-

ty is hereby directed to pay no claim from this appropriation until same is itemized and approved by the Sheriff.

Constables:

Constables at Mills, 3 at \$820.00	2,460.00
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Provided, such Constables are deputized by the Sheriff of Spartanburg County.

Additional Law Enforcement Officers, 2 at \$820.00	1,640.00
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Provided, that they shall be appointed by a majority of the delegation.

3 Constables at Jackson Mill, Startex, and Arcadia, \$982.50 each	2,947.50
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Total, Section (A)	235,595.95
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The Sheriff's Office shall collect, by checks payable to the Spartanburg County Treasurer, a fee of one dollar for each inquiry concerning the record or reputation of a person in regard to violation of the laws of the United States and of this State relating to liquor.

(B) County Jail

Jailors:

One Lieutenant	4,837.35
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Three Jailors at \$4,500.30	13,500.90
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Dieting Prisoners and Expenses	15,000.00
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The Sheriff shall file with the County Board on the first day of each calendar month duly itemized and sworn to a statement giving the name of each prisoner each day.

The County Board of Spartanburg County is hereby directed to formulate plans for the operation of the County Jail pertaining to the purchasing of all food and supplies and the payment of bills. Such expenditures shall be paid out of the above appropriation for dieting and expenses.

Provided, the Sheriff is authorized and directed to manage and control the County Jail.

Provided, further, the Sheriff shall have cus-

tody and control of all prisoners in the County Jail.	
Medicine, County Jail	600.00
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Total, Section (B)	33,938.25
(C) Coroner's Office	
Salary, Coroner	4,462.50
Travel	1,000.00
Coroner's Jury	1,500.00
Burial of Paupers	500.00
No pauper's coffin shall exceed twenty dollars.	
Post Mortems	1,500.00
No physician shall be paid in excess of fifteen dollars for an autopsy or five dollars for a post mortem.	
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Total, Section (C)	8,962.50
(D) Magistrates and Constables	
Thirteen Magistrates at \$1,200.00 each	15,600.00
Expenses, \$300.00 each	3,900.00
Thirteen Constables for the County Magistrates at \$600.00 each per year	7,800.00
Each Magistrate in Spartanburg County shall have authority to appoint one constable for each magisterial district, and each judge of the Civil Courts of Spartanburg shall have authority to appoint one constable, all such constables to serve at such salaries as may be set in the annual appropriations act for Spartanburg County. In addition to the salaries appropriated in the annual appropriations act for Spartanburg County, the constable for each Magistrate in Spartanburg County and the constable or constables for the Civil Courts of Spartanburg shall receive such fees and costs and mileage as are set forth in Sections 43-1017 and 43-1018, Code of Laws of South Carolina, 1952, as amended by Act No. 276 of the Acts of 1953.	
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Total, Section (D)	27,300.00

(E) Parole-Probation

Senior Clerk (C)	3,458.70
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Provided, this appropriation for Parole-Probation Clerk shall be reduced to the extent of any revenue from the State or any other source applicable to this work.

Total, Section (E)	3,458.70
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TOTAL, ITEM 3	\$309,255.40
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ITEM 4. ROADS AND BRIDGES

Total appropriations for this item are as follows:

Salaries:

Supervisor	\$ 7,478.62
Clerk	4,357.50
1 Diesel Mechanic	4,700.00
2 Truck Mechanics at \$4,226.50	8,453.00
1 Electric Welder	5,029.00
Tire and Yard Man	3,959.00
1 Warehouseman	2,889.00
1 Bridge Foreman	5,029.00
1 Asst. Bridge Foreman	3,638.00
5 Camp Foremen at \$4,280.00	21,400.00
10 Truck Drivers at \$3,531.00	35,310.00
1 Crane Operator at \$4,280.00	4,280.00
13 Machine Operators at \$3,638.00	47,294.00
24 Guards at \$2,889.00	69,336.00
1 Supt. Surf. Department	5,029.00
5 Night Guards at \$2,782.00	13,910.00
5 Extra Week End Guards at \$667.68	3,338.40

	245,430.52
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Dieting Prisoners:

Average number of prisoners, 200	30,000.00
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Clothing Prisoners:

Stripes, shoes, socks, underwear, jackets, blankets, mattress covers, sheets, towels	11,000.00
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00.002,52

(C) not to be used

Doctors and Medicine	3,000.00
<i>Provided</i> , the County Health Department is directed to do the dental work of the prisoners of the County Highway Department.	
Supplies:	
Includes tires, tubes, recapping, disinfectants, matches, smoking and chewing tobacco, soap, soap powder, cleaning compound, mops, brooms, signs, sledge hammers, nails, picks, shovels, axes, swing blades, beds and mattresses	
Repairs to Machinery, Equipment, Trucks and Cars:	42,000.00
Includes 50 pieces of heavy equipment and machinery, 65 trucks and 3 cars	
Gasoline, Motor Oil, Fuel Oil, Diesel Oil and Grease	46,000.00
Office Supplies	48,000.00
South Carolina Sales Tax:	825.00
Additional sales tax not charged on invoices by out-of-state companies	
Miscellaneous Expense:	650.00
Liability Insurance, License tags, power, water, telephone, expense conveying prisoners, Workmen's Compensation Insurance and freight	
Clothing allowance for employees	13,000.00
<i>Provided</i> , no employee shall receive in excess of \$75.00 per annum.	2,100.00
Surface Treatment and/or recapping of roads:	
Stone and Asphalt and labor	115,000.00
<i>Provided</i> not more than \$1200 of this amount shall be for labor.	
Machinery:	
Four mowing machines	2,100.00
One travel loader	15,000.00
<i>Provided</i> , the machinery above appropriated for is to be paid for out of the County Farm Capital Funds on hand.	
One Distributor and one 2½ ton truck	11,000.00
Two (2) Trucks, each with capacity 21,000 lbs.	6,200.00

Pipe and Bridge material	30,000.00
Signs and paint	2,750.00

The remainder of the county's share of the gasoline tax received from the State, after using so much thereof as shall be necessary to pay interest and principal installments coming due from the fiscal year 1962-63 on bonds issued or to be issued providing for road surface treatments for the county, shall go into the general funds of Spartanburg County.

The road tax shall also go into the general funds of the county. The above appropriation is inclusive of the gas tax and the road tax. The County Board shall have the right and authority and it shall be its duty to allocate, segregate and set apart and use or cause to be used so much of the sum appropriated above as they deem wise for the purpose of grading and preparing highways and expenses incident thereto for surface treatment. The County Board may, by written agreement, use a reasonable amount of any appropriation for Highway Department to match or secure any Federal aid available for highway work but such authority is not construed to affect, in any way, the operations and carrying out of the details provided for under the respective appropriations made for the department; but such authority is given in order that funds or grants may be received as a supplement to the items appropriated for.

Any balances unexpended in the accounts of the County Highway Department on June 30, 1962, may be used to purchase stone, asphalt, culverts and bridge material.

Provided, that with approval of the Spartanburg County Board of Control ten (10) per cent of the foregoing appropriations for the Highway Department for supplies and materials may be transferred to any of the other

items for supplies, materials, doctors and medicine.

Road Improvement Bonds for year ending June 30, 1963:

Principal	265,000.00
Interest	45,087.50
Bank Commission	396.55

310,484.05

TOTAL, ITEM 4\$624,055.52

ITEM 5. PUBLIC HEALTH AND WELFARE

(A) Charity Hospitalization

1. Spartanburg General Hospital Charity Patients\$325,000.00

Provided, this appropriation is hereby reduced to the extent of any funds received from the state Income Tax and allocated to Spartanburg County for hospital and charity service. All stenographic and clerical employees of the General Hospital shall be paid at a rate not in excess of equally rated employees in other departments of the county government where salaries are set by the terms of this act. The above appropriation shall include the operating expenses of the Woodruff Hospital as the trustees of the General Hospital shall deem necessary for the proper operation of the Woodruff Hospital. The Woodruff Hospital is hereby authorized and directed to take care of charity patients at the discretion of the trustees of the Spartanburg General Hospital. Spartanburg General Hospital Charity Investigation Office:

Investigator	6,468.00
Travel for Investigator	1,800.00
Clerk (B)	3,709.44
Clerk (D)	2,593.50
Office Supplies	200.00

Office Equipment:

Desk, typewriter, and file 837.20

15,608.14General Hospital Bonds for year ending June
30, 1963:

Principal 99,725.25

Interest 49,514.70

Bank Commission 232.67

149,472.62

2. Spartanburg T. B. Hospital 36,000.00

All stenographic and clerical employees shall be paid at a rate not in excess of equally rated employees in other departments of the county government where salaries are set by the terms of this act. Notwithstanding any other provision of this act, the above appropriation may be apportioned monthly as the County Board may direct. Any fees paid by patients in the Spartanburg Tuberculosis Hospital, for medical services of the Director, shall go into the general funds of Spartanburg County effective upon the passage of this act.

3. Spartanburg County Tuberculosis Association. There is hereby appropriated a sum not to exceed five thousand dollars for an X-ray motor service operation 5,000.00

Total, Sections (A) 1, (A) 2, (A) 3 481,608.14

(B) County Health Department:

Salaries, travel, incidentals, Meat and Milk
Inspections 111,375.00Retirement and Social Security for the fiscal
year ending June 30, 1963 7,381.00

Dental Health Work 12,500.00

Rabies Control Program 5,000.00

Insect and Rodent Control Program 7,500.00

Auxiliary Health Centers 6,000.00

T. B. Drugs 1,000.00

All duties pertaining to the inspection of meat and milk as set forth in the regulations of the State Board of Health shall be performed by the County Health Department for Spartanburg County including Spartanburg City.

Provided, the County Board of Health may accept funds from other private or government agencies to employ staff for the purpose of providing additional public health services requested by those agencies.

Health Centers-Bonds for year ending June 30, 1963:

Principal	5,000.00
Interest	2,975.00
Bank Commission	13.50

7,988.50

Total, Section (B) 150,756.00

(C) Department of Public Welfare

Travel for Child Welfare Workers	2,520.00
Children's Fund for Boarding Home Care, medical, dental and other basic needs	10,000.00
Special Emergency Fund	12,000.00
Supplement County Director and six Supervisors @ \$40.00 each per month	2,880.00
Supplement for Staff Members other than Supervisor (38 workers-\$15.00 ea. per mo.) ..	6,840.00
Social Security and Retirement	938.00
Office and Incidental Expenses	500.00

Total, Section (C) 35,678.00

(D) County Home

Maintenance and Improvements and Painting	4,500.00
Care of Aged, Indigent and Chronically Ill ..	50,000.00
The County Board is hereby authorized to enter into an agreement with any private eleemosynary corporation providing for the leasing of the facilities of the County Home at a nominal rental and to use the remainder of	

the above appropriation for the care of the aged, indigent and chronically ill of Spartanburg County in connection with such lease agreement.

County Home Bonds for year ending June 30, 1963:

Interest	550.00
Bank Commission	1.38
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	551.38

Total, Section (D)	54,500.00
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(E) Mental Hygiene Clinic

Operating Expenses, year ending June 30, 1963	15,226.00
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Provided, this appropriation shall be expended only for Mental Hygiene work in Spartanburg County.

Total, Section (E)	15,226.00
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(F) County Service Officer

County Service Officer	5,775.00
Travel—Service Officer	1,000.00
Secretary (F)	2,289.53
Office Expenses	300.00

The County Service Officer or his assistant must be a veteran of World War II, and the employees shall observe the same working hours as those that prevail at the County Courthouse. Any unused funds in the appropriation for the fiscal year ending June 30, 1963, shall be credited to Public Buildings Account for equipment and service rendered. If the funds provided by the State are not adequate to pay the above appropriations, the excess shall be paid out of the general county funds. The County Service Officer shall be paid seven cents a mile for the number of miles traveled on official business upon an

itemized sworn statement submitted to the
County Board.

Woodruff Service Officer	500.00
Chesnee Service Officer	500.00
Inman Service Officer	500.00

Total, Section (F) 10,864.53

(G) Speech and Hearing Clinic 3,500.00

Provided, this appropriation is made upon the
specific condition that all revenue and contri-
butions to the Clinic for the fiscal year ending
June 30, 1963, shall be no less than the total
receipts for the fiscal year ending June 30,
1962, exclusive of this appropriation. Other-
wise this appropriation is null and void.

Total, Section (G) 3,500.00

TOTAL, ITEM 5\$752,132.67

ITEM 6. AGRICULTURE, FORESTRY AND RELATED AGENCIES

(A) County Farm Agent's Office

County Farm Agent	\$ 1,260.00
Assistant County Farm Agents, (3) at \$300- .00 each	900.00
Stenographer	600.00
County Extension Office, Supplies	300.00
4-H Club Calf Chain	1,000.00
F.F.A. Calf Chain	1,000.00
Boys' and Girls' 4-H Club	300.00
Colored:	
County Agent	600.00
Home Demonstration Agent-Salary	850.00
Home Demonstration Agent-Supplies and materials	200.00
Agricultural Agent-Supplies and materials ..	200.00
Clerical Help	2,100.00
4-H Club Expenses	400.00

4-H Club Calf Chain	250.00
F.F.A. Calf Chain	250.00

Total, Section (A) 10,210.00

(B) Forestry

Wardens, three at \$35.00 a month each	1,260.00
Towerman, one at \$15.00 a month	180.00
Tractor Driver, one at \$10.00 a month for 8 months	80.00
Ranger, one at \$40.00 a month	480.00
Forestry and park needs	500.00

Total, Section (B) 2,500.00

TOTAL, ITEM 6 \$ 12,710.00

ITEM 7. PUBLIC BUILDINGS

(A) Department of Maintenance

Superintendent, Maintenance	\$ 4,250.40
Foreman	3,111.12
Foreman	3,111.12
Foreman	3,111.12
Carpenter	3,308.31
Janitor Service	15,330.00
Supplies	4,047.53
Repairs and Miscellaneous Services	5,800.00
Utilities (heat, lights, etc.)	20,300.00
Grounds—upkeep	1,000.00

Total, Section (A) 63,369.60

(B) Insurance

Insurance 7,250.00

Total, Section (B) 7,250.00

TOTAL, ITEM 7 \$ 70,619.60

Courthouse and Jail Bonds for year ending June
30, 1963:

Principal	132,274.75
Interest	54,006.55
Bank Commission	255.18

186,536.48

ITEM 7A. SPARTANBURG MEMORIAL
AUDITORIUM

Spartanburg Memorial Auditorium Commission, Maintenance and Upkeep	\$ 5,000.00
Payment on note of Auditorium for air conditioning	10,000.00

Provided, these sums are appropriated contingent upon the appropriations by the City of Spartanburg of equal amounts for maintenance and upkeep, and air conditioning notes. Spartanburg Memorial Auditorium Bonds for year ending June 30, 1963:

Principal	30,000.00
Interest	4,125.00
Bank Commission	40.32
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	34,165.32

TOTAL ITEM 7A\$ 15,000.00

ITEM 7B. SPARTANBURG COUNTY LIBRARY

Spartanburg County Library	\$ 60,453.00
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This appropriation is for maintenance and operation of the Spartanburg County Library and the purchase of books. Further, this appropriation is in addition to the one mill tax levy as now provided for the Library.

Spartanburg County Library Bonds for year ending June 30, 1963:

Principal	\$ 20,000.00
Interest	19,125.00
Bank Commission	71.00

\$ 39,196.00

Provided, that in the event that Spartanburg County Library becomes part of a Regional Library such additional qualifying funds may be paid out of the General Funds of the County upon approval of a majority of the delegation, including the Senator.

TOTAL, ITEM 7B\$ 60,453.00

ITEM 8. MISCELLANEOUS APPROPRIATIONS

City of Greer	\$ 200.00
This appropriation is to be used for Greer Public Library for the benefit of citizens of Spartanburg County.	
Y.M.C.A. for Summer Camp	1,500.00
Volunteer Fire Departments	13,000.00
Heat, lights and water for Fire Departments .	300.00
The sum of \$500.00 is hereby appropriated to each Volunteer Fire Department in Spartanburg County which is a member of the South Carolina Firemen's Association which is recognized and classified by the Southeastern Underwriters Association.	
Operation and Maintenance of fire alarm system	3,600.00
The above appropriation to be expended upon the direction of the Volunteer Fire Chiefs Association.	
Radios and Sirens	4,500.00
<i>Provided</i> , the above appropriation is to be expended under the direction of the Fire Chiefs Association.	
National Guard Units:	
Spartanburg City	500.00
Spartanburg City	500.00
Spartanburg, Medical	500.00
Lyman (1)	500.00
Lyman (2)	500.00
Woodruff	500.00
Inman	500.00
Inman	500.00
Pacolet	500.00
Greer	300.00
The appropriation for Greer is contingent upon Greenville County paying an equal amount.	
Delegation Transferable Fund	7,500.00
Registration Board	2,800.00
Travel, Registration Board	600.00
Civil Air Patrol, for maintenance and operation of planes and motor equipment	800.00

Spartanburg Planning and Development Board	2,500.00
Civil Defense	6,000.00

Provided, this appropriation shall be expended upon the approval of a majority of the delegation, including the Senator; and *provided*, further, the County Chairman of the Civil Defense organization selected pursuant to Section 5 of Act No. 888 of the Acts of 1958 shall set forth in the defense plan a detailed budget with respect to all funds that become available to the county for Civil Defense purposes. The financial proposals contained in the defense plan so submitted shall not be effective unless approved by the Legislative Delegation, including the Senator, and the mayors of the municipalities within the county. The funds above provided for shall be paid in such manner as provided for in the defense plan, and if the Legislative Delegation, by majority recommendation, has reason to believe that there has been a failure to expend funds in accordance with the terms and conditions contained in such plan, the County Board shall be notified of the delegation's recommendation, whereupon such payments shall cease until the failure to properly expend funds has been corrected.

Church Street—widening	50,000.00
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In order to defray the costs which may be incurred by the City of Spartanburg for widening Church Street from where it intersects Archer Street and extending south to where it intersects Henry Street there is hereby appropriated an amount not to exceed one-third of the costs of acquiring the necessary rights-of-way or the sum of fifty thousand dollars, whichever is lesser. *Provided*, this appropriation shall not be paid to the City of Spartanburg until such time that the State Highway Department awards the contract for the widening of this portion of

Church Street. This appropriation shall lapse unless the contract is awarded by July 1, 1963.

Erection of Quonset hut for Civil Defense . . . 1,725.00

Provided, this appropriation shall become available upon the passage of this act.

TOTAL, ITEM 8 \$ 99,825.00

ITEM 9. BONDS AND INTEREST

Ordinary County Bonds \$287,000.00

Interest 130,296.25

Commission 614.05

417,910.30

Interest-County and School Expense Notes, and expense on bonds 16,000.00

TOTAL, ITEM 9 \$433,910.30

Any surplus on hand at the close of the fiscal year or period shall be applied to the payment of the principal or interest on bonds maturing in the current year or any subsequent year, thereby reducing the levy proportionately; but the County Board of Spartanburg County may use such surplus funds to meet the payment of items appropriated for until taxes are available for payment of such items and for replacing of surplus funds allocated for payment of bonds and interest. The above appropriation shall include July 1, 1963, principal and interest payments.

TOTAL, ITEM 1-9 \$2,859,701.64

SECTION 2. The County Board of Spartanburg County is hereby directed to pay out of the general funds of the county travel expense at the rate of seven cents per mile for miles traveled in the performance of duties of all county boards and commissions which do not receive any compensation for services.

SECTION 3. The County Board of Spartanburg County shall have full authority to make such regulations and contracts for the pur-

chase of calves from the appropriation of calf chains as it deems necessary and proper for promoting the development of better dairy cattle in Spartanburg County.

SECTION 4. The board of assessors and equalization for outside the city shall be paid ten dollars each per day and seven cents per mile one trip.

SECTION 5. The appropriations in the annual appropriations act shall cover salaries of officials and shall be in lieu of all fees, costs and other compensations, and all fees and costs collected by each of them shall be turned over by them each month to the county treasurer for the benefit of the county as provided by law. All interest earned from funds invested in securities by the county treasurer and all interest on delinquent taxes shall be credited to the general funds of the county by the county treasurer.

SECTION 6. It is hereby directed that all boards of Spartanburg County shall at all times hold open sessions to the public. However, the right is reserved to all boards to have executive sessions similar to the rights reserved to the General Assembly in the State Constitution.

SECTION 7. The balances shown to the credit of the following departments for the fiscal year ending June 30, 1962, are hereby authorized to be carried forward and added to the appropriation or appropriations for the fiscal year 1962-1963, for necessary maintenance and operations: County Home and County Home Nursing, County Farm, Public Buildings, for paint and materials, T. B. Hospital, General Hospital, County Highway Department Maintenance and Road Improvement, County Health Department, Spartanburg County Library. The appropriation balance for the Block Map System on June 30, 1962, shall be carried forward for the fiscal year ending June 30, 1963, and shall be expended upon the authorizations of a majority of the Legislative Delegation, including the Senator, in the said majority. The balance on hand on June 30, 1962, of the Planning and Development Commission shall be carried forward to the fiscal year 1962-1963.

The unused balances in the Health Centers account shall be transferred to the general funds of the County.

SECTION 8. The County Board of Spartanburg County is hereby authorized to have an audit made of the affairs and doings of the of-

fices, departments and officials of Spartanburg County by a certified public accountant for the fiscal year ending June 30, 1963. The board is authorized to invite bids from qualified certified public accountants for the work to be performed and to accept or reject any and all bids; *provided*, however, final acceptance of a bid shall be subject to the approval of a majority of the county delegation given at a duly and regularly called meeting thereof.

The person or firm making the audit shall, in addition to the audit itself, be required to make a report of its findings, conclusions and recommendations to the county board with respect to improvement of accounting practices in various offices and departments of the county. The County Board of Spartanburg County is authorized to investigate and make recommendations to the county delegation concerning any deficiencies in any department of Spartanburg County.

SECTION 9. For the court of general sessions and county criminal court there shall be not more than three bailiffs, who shall receive not in excess of ten dollars each per day. For the court of common pleas and county civil court there shall be not more than two bailiffs, who shall receive not in excess of ten dollars per day. Jurors for the circuit court and the county court shall receive a per diem of ten dollars each per day in addition to the mileage as now provided by law. There shall be appointed by the sheriff a court crier who shall act also as a bailiff at all terms of court. Jurors of the coroner's jury shall receive three dollars each per day.

SECTION 10. All expenditures for the operation of the Spartanburg County Technical Training Center shall be on approval of a majority of the legislative delegation, including the Senator.

SECTION 11. Any contracts or agreements for the expenditure of funds in this appropriation act for the operation of the joint city-county radio station shall not obligate Spartanburg County unless previously approved by the Spartanburg County Delegation.

SECTION 12. Expenditures from the Delegation Transferable Fund and authorizations by the delegation shall be made upon approval of a majority of the delegation, including the Senator, at a duly and regularly called meeting and upon written certification thereof by the secretary to the county board of control.

SECTION 13. The County Board of Spartanburg County shall make provision for Workmen's Compensation coverage of all em

ployees of Spartanburg County to which it may be applicable. The following departments of Spartanburg County shall keep separate records for Workmen's Compensation Insurance and pay the premiums therefor from their own budgets:

- Spartanburg General Hospital, including Woodruff Hospital
- County Highway Department
- Spartanburg Tuberculosis Hospital
- County Health Department
- The County Board of Spartanburg County
- Spartanburg County Library

SECTION 14. The County Board of Spartanburg County shall disburse all appropriations provided herein for travel for all county employees on sworn itemized statements of the employee that the travel was performed in carrying out the duties of his or her job and on business of the county, at the rate of seven cents per mile. The board is authorized to prescribe such further rules and forms as will carry out the purposes of this section. *Provided*, the amount paid out by the county board shall not exceed the amount provided by the terms of this act. *Provided*, the travel expense appropriated for the sheriff, the coroner, the superintendent of education, the deputy sheriff and the chief of rural police shall be disbursed by the County Board of Spartanburg County without the foregoing requirements of an itemized statement.

SECTION 15. The Bureau of Vital Statistics is hereby authorized to make a search of records and furnish a statement of age or other data without charge. This does not apply to the usual fee for the certification of any record. The Special Auditor is required to audit only the records of the General Hospital kept by the county. For persons born in Spartanburg County since January 1, 1915, certificates of birth are to be issued on a similar basis as the State Board of Health issues certificates. For persons born prior to January 1, 1915, only persons born in Spartanburg County may register their birth with the Vital Statistics Department, and in addition to the items listed in the Code of 1952, documentary proof of age and place of birth must be submitted and such evidence must be over five years old. The above provisions are in addition to the regulations now effective.

SECTION 16. The County Board of Spartanburg County is authorized and directed to administer and regulate salaries and wages

of employees and clerical help provided for in this act in accordance with the salary schedule classification and policies as set forth in the survey adopted for Spartanburg County. Salary adjustments in accordance with salary schedule are to become effective from the date of employment and any increase shall be paid out of the general funds of the County.

SECTION 17. In all instances wherein a Federal agency occupies space in any public building owned by Spartanburg County, and all of its administrative or operating costs may be paid by the Federal government or any department thereof, the County Board of Spartanburg County shall charge and collect the sum of \$0.835 per annum for each square foot of space occupied by such agency, the same to be applied to the maintenance and utility costs of such public building. Further, in all instances wherein a State, area, district or county association, committee, board or organization may receive, either directly or indirectly, all of its administrative or operating costs from the Federal government or any department thereof, the County Board of Spartanburg County shall charge and collect the sum of \$0.835 per annum for each square foot of space the agency, association, committee, board or organization occupies in the public building. The above-stated amount shall be charged and collected if the entire administrative or operating costs of the agency, association, committee, board or organization may be ultimately borne by the Federal government or any department thereof, and without regard to who actually administers the Federal funds at any stage. The above charges and collections shall commence on July 1, 1961, and be collected either monthly or quarterly. *Provided*, the County Board is authorized to provide rules and regulations governing the occupancy of the new courthouse and the use of the county courthouse parking lots.

SECTION 18. Each and every official and employee of Spartanburg County is prohibited from receiving any compensation or reimbursement whatsoever from any individual, person, firm or corporation in addition to the amounts appropriated or provided for in this act.

The County Board of Spartanburg County subject to the same limitations as are imposed upon the purposes for which taxes may be levied or bonds issued by Article X, Section 6 of the Constitution, is authorized and directed to make any contracts deemed necessary

and advisable for the furnishing of services, information, use of equipment, labor of officials and employees and materials to such persons or agencies as may be determined from time to time by the County Board. The charges for such shall not be less than the actual costs to the county for services, time involved, materials and use of equipment as may be determined by the county board. *Provided*, however, the county board shall not contract to furnish any service that was not being furnished on the effective date of this act without prior approval of the majority of the county legislative delegation. Each and every county official and employee is hereby authorized and directed to comply with and perform any such contracts and agreements as may be entered into by the county board from time to time.

This provision shall apply when any county records or information and the time of any official or employee is used or furnished.

All revenue from all work, materials, and use of equipment authorized by the county board shall be remitted to the county treasurer and credited by the county treasurer to the general fund of Spartanburg County.

SECTION 19. The Spartanburg County Board of Control is authorized to borrow from the Division of Sinking Funds and Property the sum of eighteen thousand dollars, to purchase lands for the construction of a new armory. The amount borrowed shall be evidenced by a note or notes to be executed by the Chairman of the Spartanburg County Board of Control and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

For the payment of the note or notes, the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 20. The county board shall not employ any expert or contract to pay for any study or survey without approval by a majority of the county legislative delegation.

SECTION 21. The County Board of Control is hereby authorized and directed to execute and deliver a deed or deeds under such terms and conditions as the legislative delegation may approve in writing, to all of that real estate now occupied and used by the Spartanburg County Freezer Locker Plant and/or the Spartanburg Curb Market, which properties are located on the Asheville Highway and Kennedy Street, respectively. The funds so received shall be placed in the Special Fund with the County Farm Land money.

SECTION 22. There shall be filed in the office of the County Board of Spartanburg County eighteen copies of the minutes of each agency and department of Spartanburg County. Copies shall be made available for each member of the legislative delegation at the County Board Office, Spartanburg, South Carolina.

SECTION 23. The term of office of the Special Auditor is hereby continued until his successor is appointed and qualified.

PART II

Permanent Provisions

SECTION 1. It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

SECTION 2. The office of tax collector for Spartanburg County is hereby abolished. All powers and duties formerly vested in the tax collector relating to collection of delinquent taxes, seizure and sale of property and similar matters are hereby devolved upon the Treasurer of Spartanburg County.

SECTION 3. The salary of the treasurer shall be such amount as is fixed in the annual county appropriations act for Spartanburg County, such salary to be in lieu of all costs and fees of whatever nature and description collected by him, except as provided in the annual county appropriations act. Any such fees and costs as provided by law shall be in each instance collected by him and shall be paid over to the general fund of the county monthly, unless otherwise provided in the annual county appropriations act.

SECTION 4. The treasurer shall appoint such clerical help as he deems necessary. The salary of such help shall not exceed the sum provided therefor in each annual county appropriations act.

SECTION 5. The treasurer shall also be the chief tax collector of Spartanburg County and shall appoint as many assistant tax collectors as he deems necessary. The salary or salaries of the assistant tax collectors shall not exceed the sum provided therefor in each annual county appropriations act. The assistant tax collectors shall receive no fees or other compensation except their salary. The assistant tax collectors shall serve during the pleasure of the treasurer. All of the assistant tax collectors shall be able-bodied male employees and shall be charged with the duty and responsibility, together with the treasurer, of diligently pursuing all tax receipts which are issued to final collection. The treasurer shall be responsible for all taxes collected by the assistant tax collectors and may, if he deems it advisable, require the assistant tax collectors to give bond for the faithful performance of their duties.

SECTION 6. All of the assistant tax collectors appointed by the treasurer shall be capable of performing clerical duties in the treasurer's office at such times that they are not pursuing the collection of taxes or the seizure and sale of property upon which taxes have not been paid. The treasurer shall diligently supervise and direct the seizure and sale of such property and shall be charged with the responsibility of instructing and informing the assistant tax collectors in the proper procedures of seizure and sale of such property.

SECTION 7. On June thirtieth of each year the treasurer shall make a full and complete report to the County Board of Control of Spartanburg County, the county delegation and the special auditor of all taxes uncollected and all executions found after investigation to be uncollectible, with a full statement endorsed on the back thereof

why such executions are not collectible. The treasurer shall also at this time make a report of all tax executions remaining in his hands which have not been investigated to a final end.

SECTION 8. All expenditures appropriated for delinquent tax collections in the annual county appropriations act shall be made upon approval of a majority of the delegation, including the Senator, at a duly and regularly called meeting and upon written certification thereof by the secretary to the County Board of Control.

SECTION 9. The provisions of Part II of this act are mandatory and not discretionary.

SECTION 10. All acts or parts of acts inconsistent with Part II of this act are repealed.

SECTION 11. Part II of this act shall take effect July 1, 1962.

End of Part II

This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R688, H2023)

No. 1240

An Act To Authorize The Carnegie Public Library Of Sumter County To Sell And Convey Certain Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Carnegie Public Library of Sumter County may sell certain property.—The Carnegie Public Library of Sumter County is hereby authorized to sell and convey to Dr. R. DeWitt Guilds, Jr., upon such terms and conditions as may be agreed upon, the following described property:

All that certain piece, parcel or lot of land situate in the City of Sumter on the southeastern corner of North Salem Avenue and West Calhoun Street, measuring 116 feet on Calhoun Street and 208.5 feet on Salem Avenue, being the property conveyed to it by George D. Shore and Stephen D. Shore, full description being contained in deed recorded in Book M-7 at page 199, in the office of the Clerk of Court for Sumter County, South Carolina.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of January, 1962.

(R767, H2181)

No. 1241

An Act To Authorize The Trustees Of Sumter County School District No. 17, And The County Treasurer Of Sumter County, To Borrow Not Exceeding Three Hundred Twenty-Five Thousand Dollars To Be Used For School Purposes, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School District 17 of Sumter County may borrow money.—The board of trustees of School District No. 17 of Sumter County, and the county treasurer of Sumter County, are hereby authorized to borrow not exceeding three hundred twenty-five thousand dollars from the State Sinking Fund, or any other lending agency at the lowest interest rate available, for the purpose of constructing additional facilities, making additions to existing buildings, or for equipping such facilities for school purposes. The amount borrowed shall be evidenced by a note or notes to be executed by each member of the board of trustees of School District No. 17 of Sumter County and by the treasurer of Sumter County. The note or notes shall bear interest at not exceeding four per cent per annum from the date thereof, interest to be paid annually, and shall be payable in four equal, annual installments with the right to anticipate payment thereof at any annual interest paying period.

SECTION 2. Payment.—For the payment of the note or notes the board of trustees of School District No. 17 and the county treasurer of Sumter County shall pledge the annual grant from the State Educational Finance Commission for the repayment of the loan and the interest thereon.

SECTION 3. Payment further.—As additional security for the loan, in the event the annual grant to the school district by the State

Educational Finance Commission shall be insufficient to pay the principal and interest on the loan, the auditor of Sumter County shall levy, and the treasurer of Sumter County shall collect, an annual tax upon all of the taxable property of School District No. 17 of Sumter County sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of interest, in full, at which time the levy provided herein shall be terminated. In the event the school district may receive or have on hand any funds not otherwise pledged nor designated for a particular use, such funds may be used for payment of the loan and interest thereon.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R1104, H2587)

No. 1242

An Act To Authorize The County Board Of Commissioners Of Sumter County To Renovate And Enlarge The Existing County Courthouse, To Provide For The Issuance Of General Obligation Bonds For Such Purpose Not Exceeding Six Hundred Thousand Dollars Of Sumter County, To Prescribe The Conditions Under Which The Bonds May Be Issued And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sumter County may borrow money to renovate courthouse.—The County Board of Commissioners of Sumter County is authorized to issue not exceeding six hundred thousand dollars of general obligation bonds of the county for the purpose of renovating and enlarging the existing county courthouse. The bonds shall be issued either as a single issue or from time to time as several separate issues not to exceed six hundred thousand dollars.

SECTION 1-A. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or installments as the county board shall provide for except that the first maturing bonds of any issue shall mature not later than two years from the dates as of which they

shall be issued ; and no bond shall mature later than twenty years from the date as of which it shall be issued.

SECTION 2. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 3. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Sumter County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 4. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the county board shall provide.

SECTION 5. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the county board.

SECTION 6. Execution.—The bonds and the coupons to be thereunto attached shall be executed in such manner as the county board shall by resolution prescribe.

SECTION 7. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective maturities. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 8. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Sumter County shall

be irrevocably pledged, and there shall be levied annually by the Auditor of Sumter County and collected by the Treasurer of Sumter County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Sumter County, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 9. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act 730 of 1952.

SECTION 10. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Sumter County, to be deposited in a bond account fund, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant of the county board, for the following purposes:

(1) To defray the costs of issuing the bonds authorized by this act; and

(2) To pay costs incurred in renovating and enlarging the existing Courthouse of Sumter County.

SECTION 11. Powers of commissioners.—The powers and authorizations hereby conferred upon the county board shall be in addition to all other powers and authorizations previously vested in the county board and may be availed of pursuant to action taken at any regular or special meeting of the county board.

SECTION 12. Powers of commissioners—further.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the county board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 13. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1108, H2622)

No. 1243

An Act To Authorize The Treasurer Of Sumter County To Borrow A Sum Of Money For The Establishment Of A Technical Training Center And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sumter County may borrow money—notes—execution—interest.—The Treasurer of Sumter County is hereby authorized, upon approval of a majority of the county legislative delegation, including the Senator, to borrow for the establishment of a technical training center a sum not exceeding three hundred thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Treasurer of Sumter County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in ten successive, equal annual installments. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes the Auditor of Sumter County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1171, H2705)

No. 1244

An Act To Authorize The County Board Of Commissioners Of Sumter County To Spend Surplus Funds To Remodel The Existing County Courthouse.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sumter County may use surplus funds for courthouse.—The County Board of Commissioners of Sumter County is hereby authorized to spend surplus funds of the county for the purpose of renovating and enlarging the existing county courthouse.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1215, H2448)

No. 1245

An Act To Provide For A Levy Of Taxes For School And County Purposes For Sumter County For The Fiscal Year Commencing July 1, 1962; To Direct The Expenditure Thereof; To Fix The Salaries Of Certain Officers; And For Other County Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Sumter County is hereby authorized to levy on all taxable property in the County of Sumter so much as may be necessary, but not in excess of fifteen mills, for general county purposes.

Item 1. Roads and Bridges :

A-70 General Fund-Roads and Bridges Dept.	\$ 75,000.00
A-72 Salary—County Engineer	10,000.00
A-73 Salary—Road Superintendent	7,500.00
A-75 Salary—Yard Superintendent	3,780.00
A-80 Salaries—Gang Guards and Employees	50,000.00
A-85 Purchase New Machinery, Equipment	10,000.00
A-90 Gang Buildings—Repairs and Upkeep	1,000.00

TOTAL, ITEM 1. ROADS AND BRIDGES \$157,280.00

Item 2. Public Buildings

A-101 Repairs and Maintenance of Buildings	\$ 2,500.00
A-102 Purchase Furniture, Fixtures, Equipment	2,500.00
A-103 Repairs and Maintenance—Furniture, Fixtures	800.00
A-104 Insurance—Storm, Fire, Explosion, etc.	3,500.00
A-105 Water, Lights, Fuel, Sanitary Supplies	8,000.00
A-106 Salary—Maintenance Supervisor	4,200.00
A-109 Special Janitor Services	100.00
A-110 Care of Public Grounds	1,000.00

TOTAL, ITEM 2. PUBLIC BUILDINGS... \$ 22,600.00

Item 3. Court Costs

A-120 Jury Pay and Court Expense	\$ 8,000.00
A-120 Court Stenographer—Expense	240.00

Total—Court Costs

\$ 8,240.00

Clerk of Court:

A-125 Salary—Clerk of Court	\$ 8,100.00
A-126 Salary—First Deputy Clerk of Court	4,650.00
A-127 Salary—Second Deputy Clerk of Court	3,500.00
A-128 Salary—Clerk II, Clerk of Court	2,614.00
A-129 Salary—Clerk II, Clerk of Court	2,614.00

Total, Clerk of Court

\$ 21,478.00

Coroner:

A-140 Salary—Coroner	\$ 2,400.00
A-141 Mileage—Coroner	300.00
A-145 Coroner's Juries, Inquests, etc.	2,000.00

Total, Coroner

\$ 4,700.00

Magistrates:

A-150 Salary—Magistrate 3rd District	\$ 3,720.00
A-151 Salary—Clerk I to Magistrate	3,024.00
A-154 Salary—Magistrate 8th District	1,200.00
A-155 Salary—Other six Magistrates	9,360.00

Total, Magistrates

\$ 17,304.00

Master:

A-160 Office Rent—Master	\$ 240.00
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Total, Master

\$ 240.00

Judge of Probate:

A-164 Salary—Judge of Probate (Six months from January 1, 1963) \$ 3,000.00

A-165 Salary—Clerk II to Judge of Probate 2,898.00

Total, Judge of Probate \$ 5,898.00

Lunacy Examinations:

A-175 Mental Health Examinations and Transportation \$ 3,000.00

Total, Lunacy Examinations \$ 3,000.00

Civil and Domestic Relations Court:

A-180 Salary—Judge, Domestic Relations Court \$ 10,000.00

A-182 Salary—Probation Counsellor 4,920.00

A-183 Mileage—Probation Counsellor 900.00

A-186 Salary—Clerk I, Domestic Relations Court 1,890.00

A-187 Salary—Clerk II, Domestic Relations Court 2,835.00

A-191 Court Expense—Civil and Domestic Court 3,500.00

Total, Civil and Domestic Relations Court \$ 24,045.00

Jail:

A-200 Jail—Food Only \$ 6,000.00

A-200A Jail—Expense other than Food 3,500.00

A-201 Salary—Jailer 3,339.00

A-203 Salary—Assistant Jailer 2,898.00

Total, Jail \$ 15,737.00

TOTAL, ITEM 3. COURT EXPENSES ... \$100,642.00

Item 4. Poor and Needy

Emergency Relief:

A-210 Relief—General and Emergency \$ 500.00

A-211 Charity Coffins 2,400.00

A-212 Child Health and Welfare 1,200.00

Total, Emergency Relief \$ 4,100.00

Department of Public Welfare:

A-220 Department of Public Welfare \$ 600.00

A-222 Travel—Child Welfare Worker 500.00

Total, Department of Public Welfare \$ 1,100.00

Hospitalization:

A-225	Hospitalization—Tuomey Hospital only	\$ 35,000.00
A-226	Certification by Department of Public Welfare...	2,000.00
A-228	Outpatients—Other Hospitals and Homes	3,500.00

Total, Hospitalization\$ 40,500.00

Tuberculosis:

A-235	Pneumothorax—TB Outpatients and Medicine..	\$ 750.00
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Total, Tuberculosis\$ 750.00

Nursing Center:

A-241	Recreation and Nursing Center	\$ 240.00
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Total, Nursing Center\$ 240.00

Charity School Clothing:

A-244	Clothing—Needy School Children	\$ 1,500.00
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Total, Charity School Clothing\$ 1,500.00

Health Department:

A-247	County Health Department	\$ 31,500.00
A-248	Pharmaceuticals	100.00

Total, Health Department\$ 31,600.00

County Service Officer:

A-250	Part Salary—County Service Officer	\$ 600.00
A-252	Part Salary—Steno to Service Officer	960.00

Total, County Service Officer\$ 1,560.00

Children's Orphanages and Home Care:

A-260	Children's Home—Trustee Account	\$ 360.00
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Total, Children's Orphanages and Home Care ..\$ 360.00

Pensions:

A-270	Pensions—Confederate Widows (2)	\$ 900.00
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Total, Pensions\$ 900.00

TOTAL, ITEM 4. POOR AND NEEDY ...\$ 82,610.00

Item 5. Law Enforcement

Sheriff:

A-275	Salary—Sheriff	\$ 8,100.00
A-276	Auto Expense—Sheriff	1,500.00
A-277	Salary—Chief Deputy Sheriff	4,300.00
	Expense—Chief Deputy Sheriff	2,940.00
A-278	Salary—Ass't Chief Deputy Sheriff	4,000.00
	Expense—Ass't Chief Deputy Sheriff	2,940.00
A-285	Salary—other 8 Deputies (\$320.00 per mo.) ..	30,720.00
	Expense—other 8 Deputies (\$235 per mo.) ...	22,560.00
A-290	Extra Police Help	1,500.00
A-292	Salary—Clerk I to Sheriff	2,898.00
A-295	Extra Help—Sheriff's Office	720.00
A-298	Uniforms and Supplies	2,500.00
A-299	Arms, Ammunition, Schools, Tech. Supplies ..	1,000.00
A-301	Rural Police Radio Service	3,000.00
A-302	Transportation of Prisoners	1,000.00
A-303	Secret Service and Rewards	1,000.00
A-304	Police Insurance and Annuity Fund	12,000.00

Total, Sheriff

\$102,678.00

Solicitor:

A-310	Expense—Solicitor	\$ 600.00
A-311	Salary—Clerk II to Solicitor	2,625.00

Total, Solicitor

\$ 3,225.00

Probation Office:

A-313	Office Expense—Probation Office	\$ 100.00
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Total, Probation Office

\$ 100.00

County Attorney:

A-315	Salary—County Attorney	\$ 900.00
A-316	Legal Expense—County Attorney	2,000.00

Total, County Attorney

\$ 2,900.00

TOTAL, ITEM 5. LAW ENFORCEMENT \$108,903.00

Item 6. Administration

County Board of Commissioners:

A-320	County Board of Commissioners—Salary and Travel	\$ 7,000.00
A-323	Salary—Clerk to County Board	6,500.00
A-325	Salary—Deputy Clerk to County Board	4,080.00
A-330	Contingent Fund—County Board of Commissioners	1,500.00

Total, County Board of Commissioners\$ 19,080.00

Auditor's Office:

A-335	Part Salary—Auditor	\$ 3,000.00
A-336	Salary—Deputy Auditor	4,080.00
A-337	Salary—Clerk II to Auditor	2,709.00
A-338	Salary—Clerk II to Auditor	2,562.00
A-339	Salary—Clerk II to Auditor	2,583.00
A-340	Extra Help—Auditor's Office	600.00
A-341	Per Diem—Tax Assessor's and Appeal Board	500.00
A-342	Property Map Maintenance and Expense	1,000.00

Total, Auditor's Office\$ 17,034.00

Treasurer's Office:

A-344	Part Salary—Treasurer	\$ 3,000.00
A-346	Salary—Clerk I to Treasurer	3,003.00
A-347	Salary—Clerk II to Treasurer	2,520.00

Total, Treasurer's Office\$ 8,523.00

Tax Collector:

A-355	Salary—Tax Collector	\$ 5,400.00
A-355A	Mileage—Tax Collector	650.00
A-356	Salary—Clerk I (Ass't. Tax Collector)	3,024.00
A-357	Salary—Clerk II to Tax Collector	2,646.00
A-360	Salary and Mileage—Tax Collection Riders ...	8,000.00
A-363	Extra Help—Tax Collector's Office	250.00
A-364	Tax Warrant Service Fees to Policemen	800.00

Total, Tax Collector's Office\$ 20,770.00

TOTAL, ITEM 6. ADMINISTRATION ...\$ 65,407.00

Item 7. Miscellaneous

A-370 Telephone and Telegraph	\$ 5,000.00
A-371 Postage, Stationery, Office Supplies	11,000.00
A-372 General Election Expense	900.00
A-374 Annual Audit	3,000.00
A-375 Advertising Tax Sales, Bids, Reports, etc.	500.00
A-376 Salary—Vital Statistics Clerk	2,400.00
A-377 Employees' Group Insurance Premiums	3,400.00
A-380 Officials' and Employees' Bond Premiums	850.00
A-382 Workmen's Compensation Premium Tax	600.00
A-383 State Retirement—County's Share	9,500.00
A-384 Social Security—County's Share	8,000.00
A-385 Rabies Control—Warden's Salary and Expense ..	1,000.00
A-386 Expense—County Fire Truck in City	3,000.00
A-387 Sumter Chamber of Commerce	1,000.00
A-388 City Planning Commission	1,000.00
A-389 Sumter County Development Board	5,000.00
A-390 Maintenance—Sumter City Streets	50,000.00
A-391 Rent—Industrial Commission Quarters	150.00

TOTAL, ITEM 7. MISCELLANEOUS
COUNTY ACCOUNTS\$106,300.00

Item 8. National Defense

A-392 Sumter Armory Maintenance	\$ 1,000.00
A-393 U. S. Naval Reserve Unit 6-22	250.00
A-395 Armed Services YMCA	990.00

TOTAL, ITEM 8. NATIONAL DEFENSE \$ 2,240.00

Item 9. Insect and Pest Control

A-397 Sumter County Fly & Mosquito Control	\$ 4,400.00
A-398 Sumter DDT Campaign	1,500.00

TOTAL, ITEM 9. INSECT AND PEST
CONTROL\$ 5,900.00

Item 10. Education

Superintendent of Education:

A-402 Per Diem—County Board of Education	\$ 570.00
A-405 Salary—Superintendent of Education	1,870.00
A-406 Salary—Clerk, II, Supt. of Education	2,961.00

A-407	Salary—School Attendance Supervisor	1,704.00
A-408	Salary—Clerk II, Attendance Supervisor	2,961.00
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	Total, Superintendent of Education	\$ 10,066.00
Future Homemakers of America:		
A-412	Future Homemakers of America—Camp and Supervisor	\$ 200.00
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	Total, Future Homemakers of America	\$ 200.00
Home Demonstration Agent:		
A-415	Part Salary—Home Demonstration Agent	\$ 240.00
A-416	Part Salary—Ass't. to Home Dem. Agent	240.00
A-417	Salary—Steno to Home Demonstration Agent ..	1,380.00
A-418	Home Demonstration Supplies	175.00
A-419	Women's Home Club	50.00
A-420	Sumter County Council of Farm Women	100.00
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	Total, Home Demonstration Agent	\$ 2,185.00
County Farm Agent:		
A-430	Part Salary—Farm Agent	\$ 1,840.00
A-431	Part Salary—Ass't. Farm Agent	540.00
A-432	Part Salary—Ass't. Farm Agent No. 2	1,600.00
A-433	Part Salary—Steno to Farm Agent	1,380.00
A-435	Travel—Farm Business Research	200.00
A-436	White Farm Agent—LD Telephone Expense ..	200.00
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	Total, County Farm Agent	\$ 5,760.00
Negro Home & Farm Agents:		
A-445	Part Salary—Negro Farm Agent	\$ 480.00
A-446	Part Salary—Negro Home Demonstration Agent ..	920.00
A-447	Salary—Negro Clerical Help	1,800.00
A-448	Office Rent—Negro Farm & FHA Agents...	900.00
A-449	Supplies—Negro Home and Farm Agents	100.00
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	Total, Negro Home and Farm Agents	\$ 4,200.00
Negro School Supervisor:		
A-452	Office Rent—Jeanes Teacher	\$ 210.00
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	Total, Negro School Supervisor	\$ 210.00

4-H Camps and Club Work:		
A-455	4-H Camp Expense	\$ 650.00
Total, 4-H Camps and Club Work		\$ 650.00
Soil Conservation Service:		
A-462	Steno to SCS Director	\$ 1,200.00
Total, Soil Conservation Service		\$ 1,200.00
County Fair:		
A-465	Sumter County Fair Association	\$ 1,300.00
Total, County Fair		\$ 1,300.00
Forest Ranger:		
A-470	Part Salary—Forest Ranger	\$ 240.00
Total, Forest Ranger		\$ 240.00
Cotton Platform:		
A-475	Rent—Cotton Platform	\$ 360.00
Total, Cotton Platform		\$ 360.00
Game Wardens:		
A-480	Game Warden Telephone Expense	\$ 120.00
A-481	Game Wardens' Expense	720.00
Total, Game Wardens		\$ 840.00
TOTAL, ITEM 10. EDUCATION		\$ 27,211.00
GRAND TOTAL		\$679,093.00

SECTION 2. Before any new county employee is employed by any department, the County Board of Commissioners shall first approve the salary or compensation to be received by such new employee.

SECTION 3. The amount herein provided for the salary of the Sheriff, Treasurer, Judge of Probate and Clerk of Court shall be in lieu of all fees collected pursuant to the laws of the State of South Carolina and the amounts herein provided shall be the salaries of such officers for all their services for the fiscal year commencing July 1, 1962, except that the Sheriff shall be entitled to retain fees and filing costs for services in civil matters. *Provided*, however, that the

provisions of this section shall not be applicable to the office of Judge of Probate until January 1, 1963.

SECTION 4. The above accounts shall be kept separate and expended for the purposes for which appropriated; and the County Board of Commissioners shall not expend or contract to expend under any general item any sum greater than the amount for such general item herein appropriated, except with the approval of a majority of the county delegation, and no account against the county shall be approved or paid except a properly authorized expenditure by the county board.

SECTION 5. In the purchase of equipment, or articles needed in the operation of any branch of the county government, or in the employment of any person, firm or corporation, for any article or service to be rendered to the County of Sumter, price and quality being equal, preference shall be given to citizens, firms or corporations of Sumter County, if available, but if not available within the county, then preference on same basis shall be given to persons, firms or corporations of the State of South Carolina, and where not available within the county or State, they may be procured to best advantage from other sources. All county supply purchases (except for schools) shall be made through the office of the County Board of Commissioners and on purchases amounting to one hundred dollars, or more, bids from two or more vendors shall be called for.

SECTION 6. The Treasurer of Sumter County is hereby authorized, empowered and directed to pay any sum of money from such fund or funds and for such purposes as she may be directed in writing by a majority of the Sumter County Legislative Delegation.

SECTION 7. The Chairman of the Sumter County Board of Commissioners shall have the custody and control of the second floor of the courthouse and no use shall be had of that part of the building without the consent and approval of the chairman.

SECTION 8. The expense of the following items, while herein fixed at amounts of estimated needs, may vary in accordance with the fixed charges payable under such items as required by law, and by reason thereunder may not be sufficient:

A-120 Jury Pay & Court Expense

A-191 Court Expense—Civil & Domestic Relations Court

A-383 State Retirement—County's share

- A-384 Social Security—County's share
- A-304 Police Insurance & Annuity Fund
- A-375 Advertising Tax Sales, Bids, Reports, etc.
- A-402 Per diem—County Board of Education
- A-145 Coroner's Juries, Inquests, etc.
- A-175 Mental Health Examinations & Transportation
- A-341 Per diem—Tax Assessor's & Appeal Board
- A-380 Officials' & Employees' Bond Premiums
- A-364 Tax Warrant Service Fees to Police
- A-382 Workmen's Compensation Premium Tax

The Treasurer of Sumter County is authorized to pay such sums as may be necessary to meet the fixed expenses of the items mentioned in this section in excess of the amount appropriated therefor.

SECTION 9. The County Board of Commissioners shall publish, in at least one newspaper published in the county, a consolidated statement of all receipts and disbursements annually, as of July first of each year.

SECTION 10. The Treasurer of Sumter County is directed to pay to the City of Sumter one-fourth of all amounts received from the tax on gasoline which is designated for general county purposes to be used for the maintenance of streets in the City of Sumter.

SECTION 11. The county auditor shall deliver the tax books to the county treasurer not later than September first of each year.

SECTION 12. Notwithstanding the provisions of Section 64-151, Code of Laws of South Carolina, 1952, in Sumter County only national Thanksgiving Day, all general election days, the twenty-fifth and twenty-sixth days of December, the first day of January, the fourth day of July, and the first Monday in September shall be legal holidays.

SECTION 13. No levy for school purposes shall be made in any district unless approved by the county board of education and a majority of the legislative delegation, including the Senator.

SECTION 14. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R727, H2122)

No. 1246**An Act To Validate A Certain Obligation Of Union County In The Amount Of One Hundred Twenty Thousand Dollars And To Provide For The Payment Of Such Obligation.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Obligation of Union County validated.—The General Assembly finds that prior to this enactment the Treasurer and governing body of Union County borrowed one hundred twenty thousand dollars from the Division of Sinking Funds and Property evidenced by a note date November 22, 1961, payable in five, equal, successive, annual installments with interest thereon at the rate of four per cent per annum. The General Assembly ratifies, approves and confirms the above obligation incurred on behalf of Union County and declares the obligation to be legal, valid and binding upon Union County; *provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Union County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R788, H2195)

No. 1247**An Act To Authorize The State Highway Department To Construct Certain Roads In Union County And To Provide For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Roads to be constructed in Union County.—The State Highway Department is hereby authorized to add to the State Highway System and to construct the two roads in Union County described as follows:

- a. An extension of Rice Avenue adjacent to Union from US Route 176 Bypass westerly to Road S-44-41 - 1.3 miles.
- b. Section of road from Route 49 approximately 0.65 mile west of US Route 176 Bypass northerly across road described above to Route 215 - 1.6 miles.

SECTION 2. Cost of.—The cost of constructing the roads provided for in this act shall be charged to the secondary highway funds accruing to Union County.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1962.

(R917, H2403)

No. 1248**An Act Directing The County Board Of Commissioners Of Union County To Transfer Certain Lands To The Union Hospital District Board Of Trustees.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Union County to convey certain property to Union Hospital District.—The Union County Board of Commissioners is hereby authorized and directed to transfer to the Union Hospital District Board of Trustees certain lands consisting of 23.2 acres, having the metes, bounds and courses and distances and being fully described on a plat made by Dan E. Collins, RLS., dated February 1962, and to be recorded.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R918, H2404)

No. 1249**An Act To Authorize The Union County Legislative Delegation To Expend Certain Funds Accruing From A Bond Issue.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Expenditure.—The Union County Legislative Delegation may, by unanimous order, direct the expenditure of all funds not previously pledged remaining in the Bond Account Fund of Union County which were obtained pursuant to Act No. 1140 of the Acts of 1960.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1962.

(R973, H2505)

No. 1250**An Act To Amend Act No. 848 Of 1946, Which Created The Union Hospital District, So As To Provide Additional Powers And Duties For The Union Hospital District Board Of Trustees Concerning The Construction And Operation Of The Ellen Sagar Nursing Home.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Establish, equip and operate nursing home.—Act No. 848 of 1946 is amended by adding a new section to be designated as Section 3A, which shall read as follows:

“Section 3A. The Union Hospital District Board of Trustees shall construct, equip, maintain and operate the Ellen Sagar Nursing Home. The trustees shall have the same powers and duties concerning the nursing home as it has concerning hospital facilities as provided by this act.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of March, 1962.

(R1105, H2589)

No. 1251

An Act Authorizing The City Of Union To Sell Certain Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Union authorized to sell certain property.

—The City Council of the City of Union is hereby authorized to sell and convey the following property upon such terms and conditions and for such prices as shall be approved by the City Council :

- - - all that lot containing 3 6/10 acres lying and being in Union township Union county state aforesaid about 1¾ miles NE of Union Court House beginning at stake and running thence S 70- W 6.60 to iron pin at new cut road from Union to Kelton thence with said road it 21½ E 2.25 thence N 1 E 2.47 thence it 13¼ W 3.88 to iron pin on said road thence N 70 E 3.80 to beginning corner bounded by said road and lands of Mrs. Munro.

- - - All those parcels lots or parts of land lying being and situate in the county and state aforesaid and being adjacent to property of Commission of Public Works (bought of Mrs. E. B. Munro in 1898 and containing 3 6/10 acres) seven & seven tenths acres included in this deed lying east of said property and having meters and bounds as follows beginning at iron pin at the south west corner of said property (said property referring to the 3-6/10 acres bought of Mrs. Munro) running 88 E- 16.20 to iron pin thence N 20¼ W 2.38 to iron pin thence N 44- W 4.08 to sweet gum thence N 48 W 4.75 to sweet gum thence N 73¼ W 5.42 to iron pin being the NW corner of said property thence S 20, E 7.85 to stake thence S 70, W 6.60 to beginning this 7 7/10 being bounded on south, east, and north by property of John A. Fant Real Estate Co. on west by said property; also all that tract containing 1-1/5 acres lying and being adjacent to said property on the west and having the meters and bounds as follows beginning at the south west corner of the said property and running 88 W 1.90 to iron pin thence N 9 W 3.15 to Poplar thence N 60½ E 3.70 to iron pin being on the boundry line of said property thence S 13½ E. 43 to stake 1-1/5 acres being bounded on south, west and north by property of John A. Fant Real Estate Co. on E by said property.

- - - all that parcel of land containing 4¼ acres more or less situate about 2½ miles north east of Union County Court House

beginning at a maple corner on Parris Branch and running thence up said branch along line of W. M. Meadows land N 73 W 6.85 to stake thence N 67 W 10.00 to stake thence N 64 W 5.00 to stake thence N 25 E 1.30 to water oak thence S 71 E 6.65 to sweet gum thence S 9 E 4.85 to sycamore thence S 82 E 7.15 to cork elm thence S 28½ E 4.40 to beginning corner.

- - - all that certain lot, parcel or piece of land lying and being in Pinckney township and said county and state, containing 4 9/10 acres as are shown on map of said land made by J. C. Perrin in March 1915.

- - - all that certain tract of land being and situate in Pinckney township, county of Union state aforesaid, being a part of my home place containing 38 9/10 acres more or less bounded on the north by lands of R. F. Harris and other lands owned by me and on south and west by lands owned by me, being the identical land purchased from T. N. Gallman by the Commission of Public Works and recorded in Deed Book 71, page 279.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1136, S687)

No. 1252

An Act To Empower The Union Hospital District Board Of Trustees In Union County To Issue Not Exceeding Five Hundred Thousand Dollars Of Bonds Of The District If The Election Provided By This Act Shall Result Favorably To The Issue Of The Bonds; To Prescribe The Purposes For Which The Proceeds Of The Bonds Shall Be Used And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Union County—referendum on issuance of bonds.—In order to ascertain the wishes of the qualified electors of the Union Hospital District which embraces all of Union County and which was created by Act No. 848 of 1946 as to the issuance of not exceeding five hundred thousand dollars of bonds of the district,

a special election shall be held on June 12, 1962 in the Union Hospital District.

SECTION 2. Question—notice of election.—If the election required by this act shall result favorably, the Union Hospital District Board of Trustees shall be empowered to issue and sell, either as a single issue, or from time to time as several separate issues, not exceeding five hundred thousand dollars of hospital bonds of the hospital district. In order to obtain an expression of approval or disapproval of the qualified electors of Union Hospital District upon the question of providing additional public hospital facilities for the district and the issuance of bonds, to the extent herein set forth, and to provide funds therefor, there shall be submitted to the qualified electors of Union Hospital District, in an election to be held on June 12, 1962, a ballot upon which shall appear the following question:

“Shall the Board of Trustees of Union Hospital District be empowered to issue not exceeding five hundred thousand dollars of hospital bonds of Union Hospital District, whose proceeds shall be applied for additional public hospital facilities for the district?

YES ☐

NO ☐

The ballot shall contain suitable instructions, advising all those who may vote in the election upon the question so submitted, that those in favor of issuing the bonds of Union Hospital District for the purpose of additional public hospital facilities should place a check in the space opposite the word “Yes”, and that those who are opposed should place a check in the space opposite the word “No”.

The Board of Trustees of Union Hospital District (hereinafter called the trustees) shall give notice of the holding of the election by causing a notice thereof to be published in one or more newspapers published in the district once a week for three successive weeks prior to the date of the election. Such notice shall set forth the following information:

1. The date on which the election is to be held;
2. The location of the polling place for each precinct;
3. The qualifications relating to voting; and
4. The form of question to be submitted.

Not less than three weeks prior to the holding of the election, the trustees shall notify the Commissioners of Election for Union County that the election will be held. Thereupon, the Commissioners

of Election shall conduct the election, arrange for voting places for each precinct in the district and shall cause the appropriate number of ballots to be printed in accordance with the provisions of Section 23-347, Code of Laws of South Carolina, 1952, and except as provided by this act, the election shall be held in accordance with the South Carolina Election Law, Title 23, Code of Laws of South Carolina, 1952, as amended.

SECTION 3. Results of election.—The Commissioners of Election shall receive the returns of the election, determine the result thereof, and in due course transmit the results to the trustees.

SECTION 4. Results further.—Upon being advised of the result of the election, the trustees shall, by resolution duly adopted, declare the result thereof, and shall cause a certified copy of such resolution declaring the result, to be filed in the office of the Clerk of Court of Union County. The result of the election shall not be open to question except by suit or proceeding instituted within thirty days from the filing of such certified copy of the resolution of the trustees declaring the result.

SECTION 5. Trustees may issue bonds if election favorable.—If the election shall result favorably, but not otherwise, the trustees shall be empowered, as herein provided, to issue not exceeding five hundred thousand dollars of bonds of Union Hospital District, or so much thereof as may be necessary and permitted by constitutional debt limitations applicable to Union Hospital District.

SECTION 6. Issue—maturity—dates—redemption—interest.—The bonds may be issued either as a single issue or from time to time in several separate issues. Each issue of bonds shall mature serially in successive annual instalments of such amounts as may be determined by the trustees. The maturity date of the first instalment of any series shall be not later than two years after the date of such series, and the maturity date of the last instalment of such series shall be not later than twenty-five years from the date of such series. The bonds may contain a provision permitting their redemption prior to their stated maturity at such premiums as shall be prescribed by the trustees. They shall bear such rates of interest as the trustees may determine, payable semiannually, but the interest cost of any issue shall not exceed four and one-half per cent. They shall bear such dates and be payable at such places as the trustees

may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Union County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the trustees may prescribe.

SECTION 7. Execution.—The bonds shall be executed in such manner as the trustees shall prescribe.

SECTION 8. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in South Carolina.

SECTION 9. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Union County in a special fund separate and distinct from all other funds, and shall be expended for the following purposes:

(a) The accrued interest, if any, shall be applied to meet the first instalment of interest to become due on the bonds.

(b) The premium received, if any, shall be applied to the payment of the first instalment of principal to become due.

(c) The principal proceeds shall be expended upon the order or warrant of the Board of Trustees of the Union Hospital District as constituted by Act No. 848 of the Acts of 1946 for:

(1) the cost of issuing the bonds; and

(2) constructing and equipping additional public hospital facilities for Union Hospital District.

If any moneys shall remain after making the foregoing applications, they shall be applied to the retirement of bonds issued pursuant to this act. No purchaser or subsequent holder of any of the bonds shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

SECTION 10. Payment.—The full faith, credit and taxing power of Union Hospital District shall be pledged for the payment of the bonds and interest, and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in Union Hospital District, sufficient to pay the principal and interest as they mature.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1145, H2451)

No. 1253

An Act To Appropriate Money For The Ordinary Operating Expenses Of Union County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, And To Appropriate Money For Certain Other Purposes And To Provide A Tax Levy Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subject to the terms and conditions of this act, the several sums of money hereinafter designated, if so much be necessary, are hereby appropriated to defray the ordinary operating expenses of Union County during the fiscal year beginning July 1, 1962, and ending June 30, 1963, and to provide for other purposes hereinafter stated :

Item 1. Auditor's Office: .

A. Salaries:

1. Auditor (County's part)	\$ 2,000.90
2. Clerk	2,915.75
3. Assistant Clerk	2,969.25
B. Travel in taking tax returns	200.00

Total, Item 1

	\$ 8,085.90
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Item 2. Circuit Courts:

A. Expenses of Regular Terms\$ 5,000.00

Provided, that the Grand Jurors and Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day; the jury boy shall receive not exceeding five dollars per day. The Sheriff of Union County shall not employ more than five Bailiffs or other attendants, exclusive of the Court Crier, at any

terms of Court of General Sessions, and more than four Bailiffs or other court attendants, exclusive of the Court Crier, at any term of Court of Common Pleas for Union County. The Clerk of Court shall employ an attendant or janitor during the session of court and such attendant or janitor shall receive eight dollars per day for his services.

Total, Item 2	\$ 5,000.00
Item 3. Civil and Criminal Court of Union, and Juvenile and Domestic Relations Court:	
A. Salaries:	
1. Judge	\$ 5,414.20
2. Solicitor	3,916.20
3. Court Reporter	2,915.75
B. Expenses, Regular Term:	
Court Sessions	3,000.00
<i>Provided</i> , that the Grand Jurors and Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day. The Sheriff of Union County shall not employ more than three Bailiffs or other attendants, exclusive of the Court Crier, at any term of the Court. The Clerk of Court shall employ an attendant or janitor during the session of the Court and such attendant or janitor shall receive eight dollars per day for his services. <i>Provided</i> , the Judge shall order the payment of the expenses of the Court. (Exempted from Section 8 and Section 16).	
Total, Item 3	\$ 15,246.15
Item 4. Clerk of Court's Office:	
A. Salaries:	
1. Clerk of Court	\$ 5,210.90
2. Deputy Clerks, 2 @ \$2,915.75 each	5,831.50

3. Microfilming	275.00
4. Supplies and Fixtures	4,000.00

Total, Item 4 \$ 15,317.40

Item 5. County Governing Board and Supervisor's Office:

A. Salaries:

1. Township Commissioners, 8 at \$898.80 each .. \$	7,190.40
<i>Provided</i> , that they shall meet regularly at Union County Courthouse on the first Monday and third Friday of each and every calendar month during the fiscal year.	
2. Supervisor	4,681.25
3. County Bookkeeper	4,098.10
4. Chain Gang Captain	3,210.00
Expenses	600.00
5. Chain Gang Guards, 10 @ \$2,782.00 each	27,820.00
6. Mechanic	3,333.05
7. Janitor for Courthouse	2,846.20
8. County Doctor	869.37
9. County Attorney	1,107.45
10. Farmer at County Farm	2,289.80
11. Practical Nurses at County Home, 2 @ \$1,348-.20 each	2,696.40
12. Housekeeper at County Home	968.35

B. Materials, Supplies and Repairs:

1. Maintenance and repair of road machinery, trucks	15,000.00
a. For purchase of new road machinery, if so much be necessary	10,000.00
<i>Provided</i> , that the Supervisor shall cause to be kept an accurate record of the operating and repair costs with respect to each truck and/or machine.	
2. Bridges and Bridge Repairs	3,000.00
3. Top Soil and gravel for dirt road maintenance.	2,000.00
4. Feeding, clothing and housing convicts	14,000.00
<i>Provided</i> , the Captain of the Chain Gang shall make a monthly report in writing to County Supervisor of all food produced and the use made thereof at the County Chain Gang.	

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|---|-----------|
| 5. Gasoline, oil and grease | 12,000.00 |
| 6. Public buildings—Repairs, heat, lights, power,
water and telephone | 10,000.00 |
| <i>Provided</i> , that telephones in county offices shall
not be used for long distance calls except on
county business; and <i>provided</i> , further, that \$1,-
000.00 of the above figure is set aside exclusive-
ly for maintenance or repairs on the Courthouse,
and is to be paid out only on order and approval
of the Union County Legislative Delegation. | |
| 7. Books, stationery and office supplies | 5,000.00 |
| <i>Provided</i> , the different county officers in the
Union County Courthouse may purchase the
books, stationery and office supplies for their
respective offices. (Exempted from Section 8
and Section 16.) | |
| 8. Materials for maintenance of surface-treated
roads | 15,000.00 |
| <i>Provided</i> , that any money in excess of \$2,500-
.00 shall be approved by unanimous order of the
Union County Legislative Delegation. | |
| C. 1. Surface-treating county roads, including nec-
essary road preparation | 5,000.00 |
| <i>Provided</i> , that the plans and methods and any
contracts for surface-treating such roads shall
first be approved by the Governing Board, and
the Governing Board shall designate the roads
to be surface-treated, with unanimous approval
of the Union County Legislative Delegation. | |
| D. County Home | 12,000.00 |
| <i>Provided</i> , the Superintendent of the County
Home shall make a monthly report in writing to
the County Supervisor of all food produced and
the use made thereof on the County Farm and
at the County Home. | |
| E. Miscellaneous Items: | |
| 1. Premiums for insurance on public buildings... | 3,000.00 |
| 2. Workmen's Compensation Insurance Premiums | 2,000.00 |
| 3. County's required contribution under Retirement System and Social Security | 9,000.00 |

4. Post mortems and lunacies	1,000.00
Total, Item 5	\$179,710.37
Item 6. Magistrates and Constables:	
A. Salaries:	
Magistrate at Buffalo	927.77
Magistrate at Carlisle	927.77
Magistrate at Cross Keys	927.77
Magistrate at Goshen Hill	927.77
Magistrate at Jonesville	927.77
Magistrate at Lockhart	927.77
Magistrate at Santuc	927.77
Magistrate at Union Courthouse	4,681.25
Constable at Buffalo	781.80
Constable at Carlisle	781.80
Constable at Cross Keys	781.80
Constable at Goshen Hill	781.80
Constable at Jonesville	781.80
Constable at Lockhart	781.80
Constable at Santuc	781.80
Total, Item 6	\$ 16,648.24
Item 7. Probate Judge and Master's Office:	
A. Salaries:	
1. Probate Judge and Master	\$ 5,210.90
2. Clerk to Probate Judge and Master	2,915.75
Total, Item 7	\$ 8,126.65
Item 8. Sheriff's Office:	
A. Salaries:	
1. Sheriff	\$ 4,979.06
2. Official expense allowance for Sheriff	600.00
3. Nine Deputy Sheriffs @ \$3,852.00 each	34,668.00
4. Clerk to Sheriff	2,915.75
5. Jailor	3,852.00
6. Salary, Maintenance of radio system	642.00
7. Radio Supplies, if so much be necessary	2,500.00
<i>Provided, that no funds shall be paid from this account unless approved by the County Radio Technician.</i>	

B. Supplies:

- | | |
|---|----------|
| 1. Dieting jail prisoners | 4,000.00 |
| <i>Provided</i> , the Sheriff shall receive \$1.20 per day per prisoner, for dieting, if so much be necessary. | |
| 2. Jail expenses, miscellaneous | |
| 3. Gasoline, oil and repairs for patrol automobiles and radio system | 3,500.00 |
| <i>Provided</i> , the Sheriff and his deputies shall be furnished with such gasoline and oil, which gasoline and oil shall be used only in discharge of their official duties or official business. The sheriff and each deputy sheriff, upon receipt of such gasoline and oil, shall sign a ticket therefor, which ticket shall set forth the name of the officer receiving same, the amount received and the date thereof. Such ticket shall be transmitted to the county bookkeeper monthly and a permanent record of the monthly totals received by each official shall be kept by the bookkeeper and charged to this item. | |
| 4. Payment for two patrol cars to be purchased .. | 3,500.00 |
| <i>Provided</i> , purchases shall be approved by the Governing Board and Legislative Delegation. | |

Total, Item 8\$ 62,356.81

Item 9. Treasurer's Office:

A. Salaries:

- | | |
|-------------------------------------|-------------|
| 1. Treasurer (County's part) | \$ 2,000.90 |
| 2. Clerk to Treasurer | 2,915.75 |
| B. Travel in collecting taxes | 200.00 |

Total, Item 9\$ 5,116.65

Item 10. Miscellaneous Appropriations:

- | | |
|--|-------------|
| A. Coroner's Salary | \$ 2,034.77 |
| B. Health Officer's Salary (County's part) | 904.59 |
| C. Board of Equalization | 4,000.00 |
| <i>Provided</i> , that each member of the Board of Assessors shall receive \$8.00 per day for services actually performed. | |
| D. Premiums on Officer's Bonds | 1,000.00 |

E.	Audit of Union County's books to be made under the direction of the Grand Jury of Union County	2,500.00
F.	Contingent Fund for Union County Legislative Delegation to meet unforeseen requirements . . .	15,000.00
F.(2)	Salary and Supplemental Adjustments between 1961 and 1962 Union County Supply Act and 1962-1963 Union County Supply Act Differentials, \$5,000.00. This fund is to be disbursed only by unanimous legislative delegation order as to the whole or any part thereof.	
G.	Adult Education	1,500.00
H.	To be expended as high school textbook rental for children whose parents or guardians are receiving public welfare funds for support, provided Union County Public Welfare Department and Union County Public Schools shall certify entitlement	500.00
Total, Item 10		\$ 27,439.36
Item 11.	Pensions and Contributions:	
A.	Widows of Confederate Veterans	\$ 600.00
B.	Hope Hospital	5,000.00
C.	Wallace Thomason Hospital (payable monthly)	25,000.00
D.	Salvation Army	900.00
E.	Boy Scouts	300.00
F.	Girl Scouts	300.00
G.	Boys' City, Laurens, S. C.	100.00
H.	Union County Tuberculosis Clinic	900.00
I.	American Legion:	
1.	Buffalo Post	100.00
2.	Jonesville Post	100.00
3.	Lockhart Post	100.00
4.	Union Post	100.00
J.	Veterans of Foreign Wars	100.00
J.(2)	Disabled American Veterans	100.00
K.	National Guards:	
1.	Co. A 218th Infantry (Union)	800.00
2.	Troop A, 53rd Cavalry Div. (Lockhart)	900.00
3.	Hdq. Co., 1st Battalion (Union)	800.00
4.	Heavy Motor Company, 218th Infantry (Jonesville)	900.00

Where companies are combined, the combined units shall share pro rata in the combined funds.

- L. Jonesville Chapter, Future Farmers of America 200.00
M. Union Community Hospital (payable monthly) 1,500.00

Provided, however, that any hospital established through grant or by foundation shall file with the Clerk of Court of Union County and each member of the Union County Legislative Delegation a copy of their audit for the current fiscal year in order to receive funds appropriated in this act.

- N. Union County Soil Conservation Committee 300.00

Provided, payment of this item shall be made on Delegation order.

- O. Salary, Service Men Emergency Leave Requests, Union County Chapter, American Red Cross 420.00

Provided, payment of this item shall be made on Delegation order.

Total, Item 11 \$ 39,520.00

Item 12. Supplements for State and Federal Agencies :

A. County Service-Officers :

1. Service Officer's Salary \$ 1,385.65
2. Salary of Assistant to Service Officer 1,037.90
3. Travel for Service Officer 380.00

B. Health Department :

1. General Services 8,420.00

Provided, however, that at least two Public Health Nurses shall be employed at all times.

2. For Rabies Control, to be used by the County Health Department as it deems most effective for controlling rabies in Union County 700.00

C. Vital Statistics Registrar 515.00

Provided, that each local registrar shall be paid out of this fund the sum of \$25.00 per year as travel expense in addition to his usual fees.

D. Home Demonstration Agent's Office (White) :

1. Stenographer's salary 1,178.77
2. Demonstration supplies, stamps and telephone, etc. 150.00

3. Agent's salary	272.85
E. Home Demonstration Agent's Office (Negro):	
1. Agent's salary and travel	834.60
2. Rent (Home Demonstration Agent and Agricultural Agent—joint)	288.00
3. 4-H Club Work for Colored Girls	100.00
4. Fuel	40.00
5. Stenographer's Salary	411.95
6. Demonstration Material	50.00
F. Agricultural Agent's Office (White):	
1. Agent's Salary	759.70
2. Stenographer's Salary	481.50
3. Rent—to be paid monthly	228.00
4. 4-H Club Work (White)	150.00
5. Stamps, Incidentals	25.00
G. Agricultural Agent's Office (Negro):	
1. Telephone—joint with Home Demonstration Agent (Negro)	99.00
2. 4-H Club Work (Negro)	100.00
3. Stenographer's Salary	1,107.45
4. Equipment and demonstration supplies	50.00
H. Circulating Library:	
1. Salary—Head Librarian	2,081.15
2. Salary—Librarian Assistant	1,872.50
3. Rent, to be paid monthly	72.00
4. Purchase of Books	500.00
I. Agricultural Conservation Association:	
1. Rent, to be paid monthly	480.00
J. Farm Home Administration:	
1. Rent, to be paid monthly	240.00
K. Soil Conservation Service:	
1. Rent, to be paid monthly	240.00
L. County Department of Public Welfare:	
1. Salaries:	
(a) Director	759.70
(b) Visitors, 4 @ \$690.15 each	2,760.60
(c) Stenographers, 2 @ \$690.15 each	1,380.30
(d) Board Members, 3 @ \$759.70 each	2,279.10
2. Rent and Miscellaneous Office Expenses	1,000.00
<i>Provided</i> , that one-fourth of this item shall be remitted by the County Treasurer quarterly to	

the State Department of Public Welfare for matching federal funds for these purposes, and that all items paid out of such funds by the State Department shall be first approved by the Director of the Union County Department of Public Welfare.

3. Foster Home Fund	500.00
4. Emergency Relief, to be disbursed by orders of a majority of the Union County Board of Public Welfare after proper investigation	2,000.00
5. Office Expense	1,200.00
M. County Forest Rangers:	
1. Ranger	829.25
2. Two Wardens @ \$759.70 each	1,519.40
3. Towerman at Kelly Tower	411.95
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Total, Item 12	\$ 38,891.32

Item 13. County Game Warden:

A. Salary	\$ 2,632.20
B. Expenses	600.00
<i>Provided</i> , the County Game Warden shall keep the County Legislative Delegation informed of the status of fish and game resources in Union County.	
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Total, Item 13	\$ 3,232.20

Item 14. To effectuate the registration of voters for the fiscal year 1962-1963 and to be spent in the same manner as ordinary county funds	\$ 2,000.00
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Total, Item 14	\$ 2,000.00

Item 15. Recreational improvements on lake at Foster Park—to be disbursed only upon unanimous authorization of Union County Legislative Delegation	\$ 5,000.00
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Total, Item 15	\$ 5,000.00
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GRAND TOTAL	\$431,691.05
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SECTION 2. The payment of the respective appropriations contained in each item of Section 1 hereof, except when otherwise expressly provided, shall not exceed one-fourth ($\frac{1}{4}$) or twenty-five per cent (25%) of the total annual appropriation of such item during any consecutive three months' quarter of the current fiscal year, 1962-1963, commencing July 1, 1962, and on the first day of each successive month thereafter, the last day of each third month being reckoned as the end of such quarter. The foregoing requirement of this section shall not be waived except by written unanimous consent of all members of the Union County Legislative Delegation, and any county official who overspends and disburses any money or monies in excess of one-fourth ($\frac{1}{4}$) or twenty-five per cent (25%) of the total annual appropriation of any item during any three (3) consecutive months' quarter of the current fiscal year, 1962-1963, as aforesaid, except when such requirement has been waived by written unanimous consent of all members of the Union County Legislative Delegation, shall thereby and thereupon forfeit the office and shall immediately vacate the office or be subject to immediate removal from office. The Union County Legislative Delegation may transfer funds from any item or items to any other item or items in the county appropriation act of the fiscal year, 1962-1963, by unanimous delegation order in writing.

SECTION 3. For the fiscal year beginning with July 1, 1962 and ending with June 30, 1963, the Auditor of Union County is hereby authorized and directed to levy, and the Treasurer of Union County to collect, as and when other county property taxes are levied and collected, upon all taxable property in Union County, a tax of such millage as will, when added to all other income or revenue received by the county for general purposes during such fiscal year, produce sufficient funds to meet the sums of money appropriated herein or prior hereto; *provided*, that the millage so levied shall be approved in writing by the entire Union County Legislative Delegation.

SECTION 4. The salary of no employee of Union County shall be increased or supplemented from any county funds above the amount appropriated for such employee in Section 1 hereof, except with the unanimous consent of the Union County Legislative Delegation.

SECTION 5. The County of Union shall assume the balance of the outstanding road bonds issued by the Bogansville Township.

SECTION 6. The Grand Jury of Union County shall appoint the auditor to audit the books of Union County, Wallace Thomson Hos-

pital and Union County Schools. *Provided*, however, that the persons or firm so appointed shall be certified public accountants; and *provided*, further, that the schools and the hospital shall bear the cost of their respective audits. Such auditor shall be paid after the completion of the work and the delivery of the audits. The original of the audits shall be filed with the clerk of court, who shall keep the same on file as public audits, and a copy thereof shall be furnished to each member of the legislative delegation.

SECTION 7. In all matters to be determined under this act by the Union County Delegation, no action shall be valid or binding unless concurred in by all members of the delegation.

SECTION 8. The supervisor and governing board of Union County shall be the sole purchasing agent for all supplies, equipment, machines, etc., used by any officer, agent or department of Union County, and all purchases in excess of one hundred dollars shall be made on a competitive bid basis after advertisement in the Union Daily Times for a period of ten days prior to such purchases; *provided*, that such advertisement shall be published twice during such ten-day period. No vouchers or warrants for purchases made in violation of this section (except emergency purchases provided for in Section 14 hereof) shall be approved for payment by the supervisor and governing board or paid by the county treasurer. *Provided*, this section shall not apply to those items specifically exempted in Section 1 of this act.

SECTION 9. The Sheriff of Union County shall be the custodian of the courthouse and courthouse grounds and shall have supervision over the courthouse janitor.

SECTION 10. All fees and costs collected by any official of Union County shall be turned over to the Treasurer of Union County at least once each month. *Provided*, however, the magistrates shall be allowed to retain their respective costs and fees in all civil matters as a part of their compensation; and the sheriff, as constable for the magistrate at Union County Courthouse, shall likewise be allowed to retain his costs and fees as a part of his compensation.

SECTION 11. The Supervisor of Union County shall appoint a superintendent of the County Home and a Captain of the Union County Chain Gang. The Governing Body of Union County shall elect a county mechanic, and eight (8) chain gang guards. The commissioner from each of the respective townships shall recommend with

the approval of the captain of the chain gang the election of one (1) of said chain gang guards, and in the event any commissioner or commissioners shall fail or refuse to recommend the election of a chain gang guard or chain gang guards, as hereinbefore provided, within a period of four (4) weeks of a vacancy in such position or positions, then the Governing Body of Union County shall elect a chain gang guard or chain gang guards to fill such vacant position or positions. The Senator and the two members of the House of Representatives, as the Legislative Delegation of Union County, are authorized and empowered to declare a state of emergency concerning any work or affairs or employees of Union County by signing and filing an order with the county supervisor ordering work to be performed on county property, roads and facilities, and requiring work to be done to promote the industrial development of the county and the general welfare. The Union County Legislative Delegation may name a superintendent of surface-treated roads. The superintendent of surface-treated roads may name two (2) convict camp guards from the county at large with approval of the legislative delegation. One of the convict camp guards so appointed shall serve as day yardman at the chain gang camp and the other convict camp guard shall assist with the surface-treating program under the superintendent of surface-treated roads. The Union County Legislative Delegation shall by unanimous delegation order appoint a county attorney and a county bookkeeper.

SECTION 12. The superintendent of surface-treated roads shall requisition the supervisor, county bookkeeper, the governing body of Union County, and the captain of the chain gang for the equipment and materials and personnel necessary and required by the superintendent of surface-treated roads to construct, maintain, and repair the surface-treated roads of Union County, including bridges thereon, and driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and in the event of any dispute or conflict involving surface-treated roads, bridges thereon, and driveways and church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used in the construction or maintenance or repair of same, arising between any of the officials or agencies of Union County, such dispute or conflict shall be unanimously resolved in writing by all members of the Union County Legislative Delegation, and such unanimous determination and decision by all members of the Union County Legislative Delegation,

rendered in writing, shall be final and binding upon all officials and agencies of Union County concerned by the dispute or conflict involving surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County or the equipment, materials or personnel used in the construction or maintenance or repair of the same, or to be used for such purpose or purposes. Otherwise, the captain of the chain gang shall make all job and work assignments at the Union County chain gang, including both employees and prisoners, and, except as otherwise herein provided, shall be in direct and immediate control at all times. All instructions from the Union County Supervisor and the Governing Body of Union County concerning surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used or to be used in the construction or maintenance or repair of same shall be transmitted directly to the superintendent of surface-treated roads and all other instructions from the Union County Supervisor or the Governing Body of Union County concerning matters other than matters and affairs related to surface-treated roads as aforesaid shall be transmitted directly to the captain of the Union County Chain Gang.

SECTION 13. The Supervisor of Union County shall have general supervision of, and be responsible for, all roads and bridges, the county chain gang and the county home, subject, however, to the emergency powers conferred on the Legislative Delegation in Section 11 of this act. *Provided*, however, the superintendent of surface-treated roads shall be in immediate charge and control of all equipment, materials and personnel, used or to be used in the construction or maintenance or repair of surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and the captain of the chain gang shall be in immediate charge and control of all other persons employed at the Union County Chain Gang, and such persons, with the exception of the superintendent of surface-treated roads, shall be subordinated to the chain gang captain, regardless of their titles or duties, and the captain of the chain gang is hereby empowered to dismiss any such employee or employees, except the superintendent of surface-treated roads. Such suspended or dismissed employee shall have the right to appeal to the County Governing Board and the County Supervisor, who shall jointly hold such hearings as may be

deemed necessary to determine the facts and pass on the merits of such dismissal or suspension, and in their discretion may either sustain or reverse such dismissal or suspension; however, to override the action taken by the captain of the chain gang, it shall be necessary for no less than five board members and the County Supervisor to so vote. The superintendent of surface-treated roads shall be subject to suspension or dismissal by unanimous action in writing to be signed by all members of the Union County Legislative Delegation.

SECTION 14. The County Governing Board, by a majority vote of those present at a regular or special meeting thereof, shall have authority and is hereby required to order and direct the supervisor to provide for and cause to be done all proper and necessary repairs and maintenance work on roads and bridges, and may designate the roads or bridges to be repaired or maintained. It shall be the duty of the supervisor to carry out such orders and directions of the board as fully and completely as may be possible, and in the absence of any orders or directions from the governing board, whether this be caused by completion of all work ordered by the board, or by failure of the board to direct a schedule of such work or for any other cause, then it shall be the duty of the supervisor to direct and cause to be performed the proper and necessary repairs and maintenance work on roads and bridges. In cases of emergency, arising from any cause, where a county road or bridge has become or is about to become hazardous, dangerous or impassable to traffic, the supervisor shall take immediate action on his own initiative, even if it be necessary temporarily to stop work that has been ordered or directed by the governing board, to meet and overcome such emergency, and he shall cause such work to be done so as to afford traffic reasonable and safe passage over such road or bridge. In order to carry out the orders and directions of the governing board, or to meet emergencies which may arise, the supervisor shall convey instructions and orders for such repair and maintenance work to the captain of the chain gang and should the captain fail or refuse to carry out orders and directions submitted to him by the supervisor, then and in such event the supervisor may suspend or dismiss the captain of the chain gang. *Provided*, further, that any county officer or employee who shall be suspended, removed or discharged as herein provided shall not be paid for any period during such time of suspension and in case of removal or discharge, shall not receive pay from and after the date thereof.

The powers and authority enumerated and set forth in this section shall not nullify or diminish or be in derogation of the powers and authority heretofore enumerated and set forth in the preceding sections of this appropriations act concerning the superintendent of surface treated roads.

SECTION 15. The county supervisor and the Union County Governing Board may authorize the clerk or bookkeeper to make purchases not exceeding one hundred dollars in cases of emergency. The clerk or bookkeeper shall give bond in the sum of one thousand dollars, conditioned for the faithful performance of his duties, the premium for such bond to be paid as the premiums for the bonds of other county officers are now paid.

SECTION 16. All purchases for all supplies, equipment, machines, etc., and goods or services for Union County shall be made upon a written order specifically designating whatever is to be purchased or paid for, signed by the county official or employee requesting same, and approved by the signature of the county supervisor or county bookkeeper endorsed on such order. No vouchers or warrants for purchases or payments made in violation of this section shall be approved for payment by the county supervisor or governing board or paid by the county treasurer. The county supervisor or the county bookkeeper shall have the power of inspection of all purchases and services rendered for Union County at all times. Any county official or employee who makes any purchase or contract for services other than as herein provided shall be subject to immediate removal from office.

Provided, this section shall not apply to those items specifically exempted in Section 1 of this act.

SECTION 17. It shall be unlawful to sell or offer for sale any wine or beer in Union County between the hours of 12 o'clock Saturday night and sunrise Monday morning. Any person, firm or corporation violating this section shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not exceeding thirty days. The right of any person to sell wine and beer in Union County at any time, under a license issued by the State, shall be forfeited and the license revoked, upon conviction of violating the provisions of this section.

SECTION 18. Any circus, carnival, or other such admission-charging show or amusement that usually exhibits under a tent or out-

doors may exhibit in Union County without payment of any license fee or charge. *Provided*, that such exhibition is made under the auspices or sponsorship of a local eleemosynary association or organization and pursuant to a contract requiring such association or organization to pay the license for such exhibition; and *provided*, further, that such exhibition is first approved by and the time and place set by the Executive Secretary and Treasurer of Union County Fair Association.

SECTION 19. No license shall be issued for the practice of fortune-telling or palm reading in Union County.

SECTION 20. The members of the press shall be allowed to attend any meetings where the expenditures of county money, including money allocated to the county from State funds, or from any other sources, is under consideration.

SECTION 21. The salaries and/or supplements to salaries specified in this appropriation act shall be paid every two weeks.

SECTION 22. All appropriations herein made are subject to the right and authority of the Union County Delegation to change, alter, increase, deduct therefrom, or transfer funds from one item and/or account to another at any time, without notice, when in its judgment and discretion such change, alteration, transfer, increase or deduction is necessary to conform with revenue expected during the life of this act for the best interest of the county.

SECTION 23. This act is continuous and of continuous force and continuing into the future until changed by a repealing act of the General Assembly of the State of South Carolina.

SECTION 24. If any section, subsection, paragraph, sentence, phrase, clause, word or provision of this act shall be held unconstitutional or invalid for any reason, the same shall not affect, impair or invalidate any of the remaining sections, subsections, paragraphs, sentences, phrases, clauses, words or provisions of this act.

SECTION 25. The supplemental appropriations for the fiscal year 1961-1962 made from the General Fund of Union County by Delegation Order are hereby validated.

SECTION 26. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1170, H2670)

No. 1254**An Act Authorizing The Town Of Carlisle In Union County To Exchange Certain Real Property Within The Municipal Limits.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Land exchanged between Town of Carlisle, Union County and Joe H. Bonds.—The Town of Carlisle is authorized to exchange with Mr. Joe H. Bonds the following property :

“In consideration of the conveyance to the Town of Carlisle by Mr. Bonds of a lot adjacent to the lot upon which the Town’s small well is located, the Town may convey to Mr. Bonds the fourth lot from the well which is presently owned by the Town. The deed from the Town shall be executed by the members of the Town Council.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R720, H2088)

No. 1255**An Act To Create The Williamsburg County Memorial Hospital Board And To Provide For Its Membership, Powers And Duties.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Williamsburg County Memorial Hospital Board created — members — appointments — terms — vacancies — officers.—There is hereby created the Williamsburg County Memorial Hospital Board to provide hospital facilities for the inhabitants of the county. The board shall be composed of seven members who shall be appointed by the Governor on the recommendation of the Legislative Delegation from Williamsburg County, one of whom shall be designated temporary chairman. The terms of office of the members of the board shall be for four years, beginning with the first day of July of the year of their appointment. *Provided*, however, that of the first members of the board so appointed, two shall be

appointed for two years, two shall be appointed for three years, and three shall be appointed for four years, all from July 1, 1962. *Provided*, further, that the first members of the board shall be appointed for the additional period from the date of their appointment until the first day of July 1962. Thereafter, members shall be appointed as the respective terms expire and shall serve for terms of four years, and until their successors shall have been appointed and qualify. Vacancies shall be filled for unexpired terms as they may occur, and such appointments shall be for the remainder of the term of the original appointment. As soon as practicable after the appointment and qualification, the temporary chairman shall call a meeting of the board, at which one of its members shall be elected chairman and one shall be elected secretary. The chairman and secretary first elected shall serve as such until the July first, next following their election. Thereafter, the chairman and secretary shall serve for a term of two years. At the first meeting of the board, the terms of office of the members first appointed shall be determined by lot, and thereupon, the secretary of the board shall notify the Secretary of State of the result of the drawing.

SECTION 2. Powers and duties.—The Williamsburg County Memorial Hospital Board shall acquire a suitable tract of real estate, situate at such a point in the county as the board shall deem suitable to best serve the residents of the county, taking into consideration available highways and the most heavily populated areas of the county, take title to said real estate in the name of Williamsburg County Memorial Hospital and use the same for the construction and maintenance of the Williamsburg County Memorial Hospital, nurses' home and related facilities. The Williamsburg County Memorial Hospital Board is authorized to accept grants-in-aid under the provisions of the Hill-Burton Act, and any other Federal acts or agencies, and to receive donations and grants for the construction and maintenance of the hospital from any sources whatever.

SECTION 3. Powers and duties—further.—The Williamsburg County Memorial Hospital Board shall have complete authority in the construction and equipping of the hospital, after which the board shall adopt and promulgate such rules and regulations for the maintenance, operation, purchasing of supplies, and government of the hospital as may be deemed necessary for the efficient and economical administration thereof. It shall employ an administrator and such other persons as may be necessary for the construction, operation

and maintenance of the hospital, and shall fix the compensation of such employees. The board shall have power to dismiss or discharge any employee.

SECTION 4. Annual meetings—report—audit.—The board shall hold annual meetings in July of each year, at which time they shall elect, every other year, a chairman and secretary. At the annual meeting a report of the activities of the hospital, showing its resources and expenditures and complete financial status shall be made. The report shall be filed in the office of the Clerk of Court for Williamsburg County and copies shall be furnished to the members of the Legislative Delegation from Williamsburg County. In addition to the annual meeting of the board in July, the board shall meet from time to time on the call of the chairman or a majority of the board members. The accounts of the hospital shall be audited annually, prior to the July meeting of the board, by a certified public accountant who shall make his report to the board and copies thereof filed with the Clerk of Court, the governing board of the county and the legislative delegation. Any surplus funds from the operation of the hospital at the end of any year shall be retained by the board to be used in connection with the hospital.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R724, H2099)

No. 1256

An Act To Authorize The Williamsburg County Memorial Hospital Board And The Treasurer Of Williamsburg County To Borrow A Sum Of Money For Hopital Purposes And To Provide For The Payment Of The Loan

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Williamsburg County Memorial Hospital may borrow money.—The Williamsburg County Memorial Hospital Board and the Treasurer of Williamsburg County are hereby authorized, upon approval by the entire county legislative delegation and by the State Budget and Control Board, to borrow for hospital purposes not exceeding eight hundred forty-four thousand dollars from the

Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Williamsburg County Memorial Hospital Board and the Treasurer of Williamsburg County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes the Auditor of Williamsburg County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

(R772, H2203)

No. 1257

An Act To Authorize The County Commissioners Of Williamsburg County To Convey A Tract Of Land Owned By The County In Exchange For Another Tract Of Land Of Equal Value Owned By A Private Individual.

Whereas, Williamsburg County is the record owner of a three and five-tenths acre tract of land located on the old Kingstree-Lake City Highway, adjoining the Williamsburg County Camp; and

Whereas, it has never been considered by the county authorities that the county was the owner, the understanding being that this property was always owned by Prince Epps, the adjoining land owner, who has recently conveyed a lot from this tract and upon which the purchaser has made valuable improvements; and

Whereas, Prince Epps has offered to convey to Williamsburg County a tract of land containing three and nine-tenths acres in exchange for the tract referred to, which also adjoins the county property and is a more desirable adjunct to the premises of the county camp; and

Whereas, the Board of Commissioners of Williamsburg County has duly approved the exchange. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Williamsburg County may convey certain property.—The Board of Commissioners of Williamsburg County is hereby authorized to convey three and five-tenths acres adjoining the premises of the Williamsburg County Camp, shown as Tract No. One on a map made by J. D. Brockington, Surveyor, dated August 4, 1961, unto Prince Epps, of Williamsburg County, South Carolina, in exchange for the conveyance by Prince Epps to the County of Williamsburg of another tract adjoining premises of the Williamsburg County Camp, containing three and nine-tenths acres and shown as Tract No. Two on such map.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of February, 1962.

(R1005, S657)

No. 1258

An Act To Authorize The Governing Body Of Williamsburg County To Borrow From The Division Of Sinking Funds And Property Of South Carolina A Sum Not To Exceed Ten Thousand Dollars For The Purpose Of Constructing A Building To House White Prisoners At The Williamsburg County Chain Gang Camp And To Equip It, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Williamsburg County may borrow money—notes—execution—interest.—The Governing Body of Williamsburg County is authorized to borrow from the Division of Sinking Funds and Property of South Carolina a sum not to exceed ten thousand dollars, if so much be necessary, for the purpose of constructing a building at the county chain gang camp to house white prisoners and to equip the building. The loan shall be evidenced by a note signed by the chairman of the governing body and the county treasurer, and shall be under such terms and at such rate of interest as may be mutually agreed upon between the county and the Division of Sinking Funds and Property.

SECTION 2. Payment.—The auditor of the county is directed to levy and the treasurer to collect a tax sufficient to pay each instalment with interest as it shall become due, and the full faith, credit and taxing power of Williamsburg County are irrevocably pledged for the payment of the loan.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1006, S658)

No. 1259

An Act To Authorize The Governing Body Of Williamsburg County To Borrow From The Division Of Sinking Funds And Property Of South Carolina A Sum Not To Exceed Four Thousand Dollars For The Purpose Of Constructing An Addition To The Williamsburg County Agriculture Building And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Williamsburg County may borrow money for addition to Agriculture Building—notes—execution—interest.—The Governing Body of Williamsburg County is authorized to borrow from the Division of Sinking Funds and Property of South Carolina a sum not to exceed four thousand dollars, if so much be necessary, for the purpose of constructing an addition to the Williamsburg County Agriculture Building. The loan shall be evidenced by a note signed by the chairman of the governing body and the treasurer

of the county. The money shall be borrowed upon such terms and conditions and at such rate of interest as may be mutually agreed upon between the county and the Division of Sinking Funds and Property.

SECTION 2. Payment.—The revenue from the Agriculture Building is hereby pledged for the payment of the principal and interest on the note. If the revenue shall be insufficient to meet any instalment with interest, then the auditor of the county shall levy and the treasurer shall collect a tax sufficient to meet the deficiency. In addition to this security the full faith, credit and taxing power of Williamsburg County are hereby irrevocably pledged for the payment of the loan.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1163, H2640)

No. 1260

An Act To Provide For The Levy Of Taxes For Williamsburg County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, And To Provide And Direct The Expenditure Thereof; And To Validate Certain Disbursements, Expenditures And Actions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby levied upon all of the taxable property of Williamsburg County a sufficient number of mills to be determined by the auditor from assessment of the property therein which, together with fines, forfeitures, gasoline tax, road tax, collected by various officers, and all income of the county, shall raise the amount herein appropriated. For county and school purposes for Williamsburg County for the fiscal year 1962-1963, there is appropriated the following:

Item 1. Supervisor	\$ 5,250.00
Supervisor's Travel	1,450.00
Clerk to Supervisor	3,400.00
County Commissioners (5) @ \$1,050.00 each..	5,250.00

County Commissioners Travel (5) @ \$450.00	
each	2,250.00
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Total, Item 1	\$ 17,600.00
Item 2. Roads and Bridges	\$117,500.00
Repairs to Machinery	20,000.00
Food and Clothing Chain Gang	18,750.00
Gasoline and Oil	18,750.00
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Sub-Total, Item 2	\$175,000.00
Supplemental Appropriation	\$ 20,000.00
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Total, Item 2	\$195,000.00
<i>Provided</i> , no item of equipment costing in excess of \$5,000.00 shall be purchased by the County Commission without the approval of the Legislative Delegation.	
Item 3. Clerk of Court	\$ 5,500.00
Two (2) Deputy Clerks	6,800.00
Janitor Courthouse	1,600.00
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Total, Item 3	\$ 13,900.00
Item 4. Sheriff's Salary	\$ 5,250.00
Sheriff's Travel	1,450.00
Law Enforcement	500.00
Four (4) Deputy Sheriffs' Salary	14,600.00
<i>Provided</i> , that the sheriff may designate a chief deputy and the salary of each deputy shall be designated by the sheriff.	
Four (4) Deputy Sheriffs' Travel	5,800.00
Clerk—Sheriff's Office	3,200.00
Jail Expense (dieting prisoners at \$1.00 per day each, to be paid on monthly itemized statements as to number of prisoners)	5,000.00
Liability Insurance—Sheriff's Cars	450.00
Uniforms—Sheriff's Department	250.00
Radios—Sheriff's Department	5,000.00
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Total, Item 4	\$ 41,500.00

Item 5.	Auditor	\$ 2,002.20
	<i>Provided</i> , that the total salary paid the county auditor shall be \$5,500.00 and the county's portion shall be increased or decreased, as the State's portion is increased or decreased, so as to provide a total of \$5,500.00.	
	Clerk to Auditor	3,400.00
	Total, Item 5	\$ 5,402.20
Item 6.	Treasurer	\$ 2,002.20
	<i>Provided</i> , that the total salary paid the county treasurer shall be \$5,500.00 and the county's portion shall be increased or decreased, as the State's portion is increased or decreased, so as to provide a total of \$5,500.00.	
	Clerk to Treasurer	3,400.00
	Extra help—Treasurer's Department Mailing Tax Notices	500.00
	Total, Item 6	\$ 5,902.20
Item 7.	Probate Judge	\$ 4,500.00
	Part time clerk	1,250.00
	Total, Item 7	\$ 5,750.00
Item 8.	Clerk to Tax Collector	\$ 3,400.00
	Total, Item 8	\$ 3,400.00
Item 9.	Magistrate at Kingstree	\$ 2,400.00
	Magistrate at Hemingway	1,500.00
	Magistrate at Greeleyville	1,200.00
	Magistrate at Cades	600.00
	Magistrate at Central	600.00
	Magistrate at Morrisville	600.00
	Magistrate at Lanes	600.00
	Magistrate at Earles	600.00
	Magistrate at Hebron	600.00
	Magistrate at Pergamos	600.00
	Magistrate at Nesmith	750.00
	Magistrate's Constable at Kingstree	2,200.00
	Magistrate's Constable at Hemingway	1,100.00

	Magistrate's Constable at Greeleyville	800.00
	Magistrate's Constable at Nesmith	400.00
	Magistrate's Constables—7 other	2,100.00
	<i>Provided</i> , the Magistrate's Constable at Cades, Morrisville, Lane, Earles, Hebron, Pergamos and Central shall receive \$300.00 per year each, to be paid at the rate of \$25.00 per month on war- rants drawn payable to constables.	
	Total, Item 9	\$ 16,650.00
Item 10.	County Attorney	\$ 600.00
	Total, Item 10	\$ 600.00
Item 11.	Coroner	\$ 950.00
	Coroner's Travel	450.00
	Coroner's Clerk	500.00
	Total, Item 11	\$ 1,900.00
Item 12.	Miscellaneous Contingent Fund	\$ 5,000.00
	<i>Provided</i> , the above amount shall be expended upon approval of a majority of the legislative delegation.	
	Total, Item 12	\$ 5,000.00
Item 13.	Police Insurance	\$ 4,500.00
	Insurance County Employees (Workmen's Com- pensation)	2,800.00
	Total, Item 13	\$ 7,300.00
Item 14.	Bonds—County Officials	\$ 800.00
	Total, Item 14	\$ 800.00
Item 15.	Jurors and Witnesses	\$ 5,000.00
	Total, Item 15	\$ 5,000.00
Item 16.	Public Buildings	\$ 20,000.00
	<i>Provided</i> , that a portion of this appropriation shall be used to repair the county jail and to construct an addition to the county agricultural building.	
	Total, Item 16	\$ 20,000.00

Item 17. Printing, Postage and Stationery	\$ 5,000.00
Total, Item 17	\$ 5,000.00
Item 18. Vital Statistics	\$ 900.00
Post Mortems, Lunacies and Inquests	1,500.00
Total, Item 18	\$ 2,400.00
Item 19. Janitor Service	
Department Public Welfare	\$ 400.00
Miscellaneous—Administrative	100.00
Miscellaneous—Contingent Expense	980.00
Department Public Welfare Emergency Fund ..	300.00
Total, Item 19	\$ 1,780.00
Item 20. Poor House and Poor—Burial Aid	\$ 500.00
Total, Item 20	\$ 500.00
Item 21. Board of Tax Appeals	\$ 1,000.00
Board of Assessors	1,800.00
<i>Provided</i> , the Board of Tax Appeals shall re- ceive \$10.00 per day for each day they meet.	
Total, Item 21	\$ 2,800.00
Item 22. County Health Unit	\$ 8,000.00
Charity Hospitalization	10,000.00
<i>Provided</i> , that the sum appropriated for the hos- pitalization of indigent persons shall be expended only upon approved certificates by the Board of Public Welfare of Williamsburg County, and shall be expended on per diem basis to be fixed by the board, not to exceed \$8.00 per day per patient; such basis shall include the cost of room, board, medicine and anesthetics, etc., and there shall not be expended on any one case a greater sum than one hundred dollars.	
<i>Provided</i> , further, that the board may in extreme cases approve further expenditures but the county shall not be liable for additional sums un- less authorization by the board is first secured.	

The appropriation made shall be for the fiscal year 1962-1963.

Total, Item 22		\$ 18,000.00
Item 23. County Agent	\$	600.00
Assistant County Agent		400.00
Stenographic Service for County Agent and Home Demonstration Agent		450.00
Boys' 4-H Club Work		150.00
Total, Item 23		\$ 1,600.00
Item 24. County Home Demonstration Agent	\$	240.00
Stenographic Service—Home Demonstration Agent		280.00
Office Supplies, Equipment, and Telephone ...		150.00
Girls' and Women's 4-H Club Work		200.00
Total, Item 24		\$ 870.00
Item 25. Negro Home Demonstration Agent		
Part Salary and Travel	\$	900.00
Negro Girls' 4-H Club Work		150.00
Office Rent		
Negro Agr. Agent and Demonstration Agent..		480.00
Negro Agri. Agent—Salary		350.00
Negro Boys' 4-H Club Work		150.00
Office Supplies, Fuel and Lights		150.00
Clerical Assistance—Negro Agents		450.00
Total, Item 25		\$ 2,630.00
Item 26. Kingstree National Guard	\$	750.00
Hemingway National Guard		750.00
Medical Expense—Prisoners		3,000.00
Retirement—County's Portion		5,000.00
Social Security—County's Portion		5,500.00
Junior Homemakers		100.00
Carnegie Library		800.00
Civil Defense		2,000.00
Total, Item 26		\$ 17,900.00

Item 27. Industrial Development—to be expended on order of county legislative delegation	\$ 7,500.00
Total, Item 27	\$ 7,500.00
Item 28. Operating Expenses for the Board of Trustees of the Williamsburg County Memorial Hospital..	\$ 10,000.00
Total, Item 28	\$ 10,000.00
GRAND TOTAL	\$416,684.40
LESS ESTIMATED REVENUE AS FOLLOWS:	
Commutation Road Tax	\$ 11,000.00
Gasoline Tax	96,000.00
Fees collected	17,000.00
Income Tax	49,000.00
Revenue Tax	55,000.00
Liquor Tax	35,000.00
Other sources	12,000.00
Total, Estimated Revenues	\$275,000.00
Amount to be raised by taxation	\$141,684.40

SECTION 2. The county supervisor may, whenever he and the county board of commissioners deem it wise, hire a civil engineer from time to time when the services of one are needed, the civil engineer to be paid out of Miscellaneous Contingent Fund.

SECTION 3. The supervisor and county commissioners are hereby prohibited from issuing any pay checks to any of the magistrates of Williamsburg County until such magistrates have filed with him statements of the names of persons for whom such warrants have been issued during the previous quarter and the disposition of each case, and a receipt from the county treasurer for fines and costs collected by the magistrates during the previous quarter.

SECTION 4. The county attorney shall give legal advice to all county officers, including the Grand Jury, on any subject affecting the county and, should he fail to give such advice, the amount appropriated for his services shall not be paid to him by the county treasurer.

SECTION 5. All revenues accruing to the county not otherwise appropriated shall be deposited or invested by the treasurer as a sinking fund for the payment of principal and interest of the county bonded indebtedness and such investments or deposits shall be guaranteed by bond of indemnity or other adequate security to be passed on by the board of county commissioners.

SECTION 6. The appropriations made in this act shall be for the specific purposes designated herein, and for no other except upon the written consent of a majority of the members of the Williamsburg County Delegation in the General Assembly. No overdrafts shall be made or created in any of the items set forth in this act, and in the event any such overdrafts are created the County of Williamsburg shall not be responsible for such overdrafts and the same shall be void insofar as the county is concerned.

SECTION 7. The salaries paid to the county officers as hereinabove fixed shall be in lieu of all fees, commissions, etc.

SECTION 8. All county officers, before making purchases of books or stationery and all other supplies, shall so notify the county board of commissioners in writing and receive the commissioners' approval. Copies of such requests and their approval shall be kept on file in the respective offices. All supplies of every kind, nature and description whatsoever shall be made only upon competitive bids except purchases at one time which shall cost not more than one hundred dollars. *Provided*, that the county board of commissioners shall not approve payment of any voucher for the purchase of any article of any kind by any agency or department unless such purchase has first been authorized by authority of the county board of commissioners.

SECTION 9. The road machinery, plows, equipment, etc., to be purchased by the County of Williamsburg, from funds herein appropriated, shall be bought upon competitive sealed bids after two weeks' advertisement for such bids in some newspaper best circulated to give notice to the trade, which also shall designate the time and place at which the bids will be opened, and the bids shall be publicly opened at the time and place designated in such advertisement.

SECTION 10. The disbursements, expenditures and actions authorized by the Williamsburg County Legislative Delegation during the fiscal year 1961-1962, in connection with the operation of the

county departments and agencies thereof, are hereby validated and declared to be legal and binding acts of the officials of the county who acted in pursuance thereof.

SECTION 11. No officials of the county shall obligate the county for the repayment of any loan without the approval of the legislative delegation.

SECTION 12. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R740, H2143)

No. 1261

An Act To Create The York County Building Commission; To Provide An Appropriation Therefor; And To Repeal Act No. 1218 Of 1958.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. York County Building Commission created—members—terms—vacancies.—There is hereby created a commission in York County to be known as the York County Building Commission for the purpose of supervising the erection of a county health center in the town of York. The commission shall be composed of Jack C. White, Chairman; Ike F. Robinson; J. A. Dennis; Ezra Munn; Clyde E. Nichols; and J. E. Allen, York County Supervisor, who shall be an ex officio member. The terms of office of the members shall be for such period of time as may be necessary to accomplish the purposes of this act. Any vacancy shall be filled by appointment of the Governor upon the recommendation of a majority of the York County Legislative Delegation.

SECTION 2. Compensation.—All members shall serve without salary but shall be paid a per diem of ten dollars per day to cover expenses for each day the commission shall find it necessary to hold a regular meeting in connection with the performance and discharge of their duties.

SECTION 3. Powers and duties.—The commission is authorized and empowered to apply for, receive and accept on behalf of the county

any gift or grant of money or any kind of property, or anything of value, from the United States of America, or from any of its agencies, or from any other source whatsoever, as aid in accomplishing the purposes of this act. Any and all such things of value received by the commission shall be received in the name of the county and held and used by the commission as an agency of the county. The commission is authorized and empowered to appoint and employ an architect, secretary, surveyor, and such other officers, agents and employees as may be necessary, to fix their compensation, to execute and deliver contracts, and to do all other things reasonably expected to be done in order to accomplish the purposes of this act.

SECTION 4. Control of property upon completion.—Upon completion of the construction, equipping and furnishing of the building, the building and property upon which it is situated, and all other property and things of value held by the commission, shall be turned over to the supervisor and board of directors of the county who shall maintain the property for the purpose for which it was built. At such time the commission shall furnish a full account of its actions and of all monies received and spent, whereupon its functions shall be deemed fulfilled.

SECTION 5. Appropriation.—To carry out the purposes of this act, there is hereby appropriated from the funds in the hands of the Sinking Fund Commission of York County the sum of thirty thousand dollars or so much thereof as may be necessary. *Provided*, that none of the above appropriation shall be expended unless York County receives at least a matching sum under the provisions of the Hill-Burton Act.

SECTION 6. Act 1218 of 1958 repealed.—Act No. 1218 of 1958 is repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of February, 1962.

(R868, H2423)

No. 1262

An Act To Amend Section 1 Of Act No. 544 Of 1959, As Amended, Authorizing The Continuation Of The Special One-Mill Levy In York County, So As To Authorize The Governing Body Of York County To Borrow Certain Money And To Provide That The Levy Shall Be Used To Retire Such Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 544 of 1959 amended—York County may borrow money—continue special levy for payment.—Section 1 of Act No. 544 of 1959, as amended, is further amended by striking it out and inserting in lieu thereof the following:

“Section 1. The York County Sinking Fund Commission is hereby authorized to make a loan in the amount of fifteen thousand dollars to the governing body of York County for the purpose of purchasing land near the Rock Hill Airport to be used for county purposes. The loan of the York County Sinking Fund Commission to the Board of Trustees of the York County Hospital having been paid in full, the Auditor and Treasurer of York County are hereby authorized to continue the special levy heretofore used to retire this indebtedness and to apply the proceeds to retire the loan authorized above. The levy shall continue in force until the loan is paid in full.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1962.

(R1083, H2552)

No. 1263

A Joint Resolution To Provide For A Committee To Study The Feasibility Of Creating A County Planning And Development Board For York County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County—committee to study feasibility of establishing a county planning and development board created—members.—There is hereby created a committee to study the feasibility of creating a county planning and development board for York County. The committee shall be composed of the mayors of

Clover, Fort Mill, Hickory Grove, Sharon, McConnells, Rock Hill and York who shall serve ex officio.

SECTION 2. Officers—recommendations.—The committee shall meet as soon after the effective date of this resolution as is practicable and select a chairman and such other officers as it may deem necessary. The committee shall study the feasibility of creating a county planning and development board for the county and report its findings and recommendations to the York County Legislative Delegation in February, 1963.

SECTION 3. Expenses.—The members of the committee shall receive such per diem and mileage as provided by law for State boards and commissions and the county treasurer shall make the necessary payments from the contingent fund of York County.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1113, H2608)

No. 1264

An Act Making Supplemental Appropriations For York County For The Fiscal Year 1961-1962.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations are hereby made from the General Fund of York County for the purposes shown for the fiscal year 1961-1962:

Supplies for Clerk of Court's Office	\$ 7,000.00
Jurors, Witnesses, Bailiffs and Court Crier	10,000.00
Maintenance Courthouse, Agriculture Building and Office Building	10,000.00
For care of indigent York County residents who are residing in nursing homes	3,000.00
For maintenance of prison farm and county roads ..	7,000.00

Total\$ 37,000.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1962.

(R1131, S692)

No. 1265

An Act To Transfer The York County Hospital Health Fund To The York County Hospital In Payment Of Bills Of Charity Patients From Catawba And Ebenezer Townships In York County.

Whereas, there is on deposit in the Peoples National Bank of Rock Hill, South Carolina, is an account designated "York County Hospital Health Fund" a balance of four thousand five hundred fifty-four dollars and thirty cents consisting of funds originally appropriated for the purpose of defraying hospital care for charity patients residing in Catawba and Ebenezer Townships in York County; and

Whereas, there is now due the York County Hospital an amount in excess of such sum for providing care for charity patients from Catawba and Ebenezer Townships. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County to transfer funds.—The Peoples National Bank of Rock Hill, South Carolina, shall transfer the sum of four thousand five hundred fifty-four dollars and thirty cents in the "York County Hospital Health Fund" to the York County Hospital. The York County Hospital shall apply the funds to the payment of bills of charity patients from Catawba and Ebenezer Townships.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1184, H2694)

No. 1266

A Joint Resolution Providing For A Referendum To Determine Whether Or Not The Qualified Electors Of York County Favor The Issuance Of Five Hundred Thousand Dollars Of General Obligation Bonds For Creating And Establishing A Technical Training Program For York County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County—election concerning bond issue.—The Commissioners of Election of York County shall cause the following question to be presented to the voters of the county at the primary election on June 12, 1962:

“Shall the Committee for Technical Training be authorized to issue up to five hundred thousand dollars of general obligation bonds of York County, the proceeds of which shall be used to create and establish a Technical Training Program for York County?”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1190, H2703)

No. 1267

A Joint Resolution To Continue The Mineral Resources Commission For York County Created By Act No. 1152 Of The Acts And Joint Resolutions Of 1960.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County—Mineral Resources Commission continued.—The commission, created by Act No. 1152 of the Acts of 1960, to study the mineral resources for York County is hereby extended for four years. The provisions of Section 3 of the act shall not apply to the extended period.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1249, H2711)

No. 1268

An Act To Provide For The Levy Of Taxes For York County For The Fiscal Year Beginning July 1, 1962, And Ending June 30, 1963, For School, County And Other Purposes; To Direct The Expenditure Thereof; To Prescribe The Powers, Duties And Authorities Of Various Officials Of The County; To Authorize And Direct The County Treasurer To Transfer Certain Funds; And To Authorize The York County Board Of Directors To Borrow And The York County Sinking Fund Commission To Lend Certain Money And To Provide For The Repayment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. For the fiscal year beginning July 1, 1962, the following sums of money, if so much be necessary, are hereby appropriated from the General Fund in the Treasury of York County to meet the ordinary expenses of the county as hereinafter indicated :

Item 1. Supervisor and County Board of Directors :

Salaries :

Supervisor	\$ 6,000.00
Clerk	3,770.00
Assistant Clerk	3,570.00
Five directors, one hundred dollars each per month	6,000.00
Service and supplies	1,400.00

Total, Item 1 \$ 20,740.00

Item 2. County Prison Farm :

Salaries :

Superintendent	\$ 4,170.00
Six guards at \$222.50 per month each	16,020.00
<i>Provided</i> , that board and lodging shall be furnished in addition to salaries above.	
Maintenance of Prison Camp	40,000.00
Maintenance of county roads	73,000.00

Provided, that not more than one-half of the above two appropriations shall be obligated or spent prior to January 1, 1963.

Nine patrol operators at \$282.50 per month each 30,510.00

Supervisor—travel for actual mileage driven on county business at 9¢ per mile, if so much be necessary 1,400.00

Transporting school lunch commodities 2,500.00

Provided, all county equipment shall be kept at the prison camp at night, on Sundays and holidays, and at all other times when not in actual use on county work except when in the opinion of the Supervisor it is more feasible to leave same at job sites.

Provided, further, that it shall be unlawful for any person not an inmate or any person not employed directly at the prison camp to eat any meals at or carry away any food from the York County Prison Camp, and it shall be the duty of the superintendent of the chain gang to enforce this provision. Any violation of this provision shall be deemed a misdemeanor and punishable by a fine not exceeding one hundred dollars, or imprisonment for not exceeding thirty days.

Total, Item 2\$167,600.00

Item 3. Sheriff's Office:

Salaries:

Sheriff\$ 6,000.00

Deputy Sheriff 4,350.00

Clerk 3,120.00

Expense, outside county 1,000.00

Gas, oil, upkeep auto and radio 1,500.00

Office supplies, phone, box rent 600.00

Telephone expense for highway patrolmen stationed in York County 400.00

Salaries, expenses and equipment for York County police operation 113,280.00

Radio and jail services—Town of Clover 1,500.00

Radio and jail services—Town of Ft. Mill 1,500.00

Provided, the Sheriff of York County is authorized and empowered to appoint and employ sixteen county policemen to serve under his direction and supervision, and each of the county

policemen shall be paid a monthly salary as follows: new employee, first six months, \$275.00; new employee, after six months, \$300.00; new employee after one year, \$325.00. In addition thereto the sheriff shall appoint and employ a lieutenant of the York County Police, who shall be second in command of the county police, and who shall be paid a monthly salary of \$400.00. The lieutenant shall have supervision and control of the county police and all personnel of the York County Police Department in the event of the absence or inability of the sheriff to act for any reason. *Provided*, further, the Sheriff of York County shall appoint and employ one clerk to assist in the administrative and clerical work connected with the department and perform such other duties as may be assigned to him. *Provided*, further, that the sheriff shall be allowed to give credit for experience in other law enforcement in computing time in grade.

Provided, further, that the sheriff may pay to each deputy sheriff the sum of \$25.00 per month as expenses.

Total, Item 3		\$133,250.00
Item 4. County Jail:		
Salary, Jailor	\$	3,120.00
Dieting prisoners at one dollar per day		6,000.00
Maintenance and supplies		2,500.00
Repairs		700.00
Total, Item 4		\$ 12,320.00
Item 5. Maintenance of Courthouse, Agriculture Building and Rock Hill Office Building		
	\$	30,000.00
<i>Provided</i> , no janitor or janitor's assistant shall be paid more than forty dollars per week.		
<i>Provided</i> , further, that prison labor shall be used where feasible during the daylight hours, except Sundays.		

Provided, there may be one superintendent of the Rock Hill Office Building and at York there may be one superintendent of the Agriculture Building and York County Courthouse, at salaries not exceeding \$3,120.00 each, and one helper for each building.

Provided, that the expenditures herein shall be under the supervision of the supervisor and the board of directors, or a majority thereof.

Total, Item 5\$ 30,000.00

Item 6. Clerk of Court's Office:

Salaries:

Clerk of Court	\$ 6,800.00
First Deputy Clerk	3,770.00
Second Deputy Clerk and photo machine operator	3,720.00
Clerk	3,120.00
Clerk	3,120.00
Clerk	3,120.00
Clerk	3,120.00
Service and Supplies	16,000.00
Jurors, witnesses and bailiffs, and court crier ..	23,000.00

Provided, jurors shall receive eight dollars per day and mileage allowed by law; witnesses, two dollars per day and mileage; and bailiffs, eight dollars per day; and that no federal, State or municipal official or employee shall receive any compensation from the county for appearing as a witness in any court in York County.

Provided, that jurors reporting on opening day of General Sessions Court for the purpose of seeking relief from jury duty shall receive no mileage or per diem. *Provided*, further, the clerk of court shall not receive any additional pay for services as clerk of the Criminal, Juvenile and Domestic Relations Court of York County.

Total, Item 6\$ 65,770.00

Item 7. Auditor's Office:

Salaries:

Auditor	\$ 2,600.00
First Deputy Auditor	3,320.00
Second Deputy Auditor	3,120.00
Services and supplies	1,200.00
Equalization Board	2,000.00

Total, Item 7 \$ 12,240.00

Item 8. Treasurer's Office:

Salaries:

Treasurer	\$ 2,600.00
Deputy Treasurer	3,420.00
Assistant Deputy Treasurer	3,420.00
Clerk	3,120.00
Revolving Fund	50.00
Services and supplies	1,350.00

Total, Item 8 \$ 13,960.00

Provided, that all fees collected by the Treasurer by virtue of his office shall be turned in to the general fund of the county.

Item 9. Judge of Probate's Office:

Salaries:

Judge of Probate	\$ 4,820.00
Clerk	3,770.00
Clerk	3,570.00
Office supplies, premium on bond, stamps, box rent and telephone	1,800.00

Total, Item 9 \$ 13,960.00

Item 10. Tax Collector's Office:

Salaries:

Tax Collector	\$ 3,000.00
Deputy Tax Collector	3,000.00
Clerk	3,360.00
Bond for Tax Collector, Deputy and Clerk	270.00
Stationery, services, supplies, box rent and postage	600.00

Total, Item 10 \$ 10,230.00

Item 11. County Veterans' Service Office:

Service Officer	\$ 4,320.00
Clerk	3,120.00
Clerk	3,120.00
Expenses, Service Officer	2,750.00

Total, Item 11\$ 13,310.00

Item 12. Coroner's Office:

Salary, Coroner	\$ 1,500.00
Expenses of inquests, office supplies and services	600.00

Total, Item 12\$ 2,100.00

Item 13. Department of Public Welfare:

Emergency relief—including care of homeless children	\$ 4,000.00
Telephones	800.00
Assistant Clerk for purpose of investigating applicants for free school lunch	1,000.00
Supplement to County Board Members and Director	1,680.00
Mileage at nine cents per mile for two child welfare workers	700.00
Supplement for Case Work Supervisor	348.00
Supplement for fourteen Case Workers at \$150-.00 per year	2,100.00

Total, Item 13\$ 10,628.00

Item 14. Hospitalization:

For charity patients, Divine Savior Hospital ...	\$ 4,000.00
<i>Provided</i> , that all of this fund shall be used for charity cases in York County and that an itemized statement of the cost of each case shall be sent quarterly to the Board of County Directors.	
Post mortems, inquests, lunacies and dental work	1,000.00
County physician or physicians to be employed by the Supervisor and County Directors	1,000.00

Total, Item 14\$ 6,000.00

Item 15. National Guard:

Rock Hill Companies (2)	\$ 800.00
York Company	400.00
Fort Mill Company	400.00
Clover Company	400.00
Headquarters Company, Rock Hill	200.00

Total, Item 15 \$ 2,200.00

Item 16. Magistrates and Constables:

Magistrate, Bethel-Kings Mountain Townships	\$ 2,100.00
Telephone, Magistrate, Bethel-Kings Mountain Townships	125.00
Magistrate, Bullock Creek-Broad River Townships	1,200.00
Office rent, Bullock Creek-Broad River Townships	120.00
Telephone, Magistrate, Bullock Creek-Broad River Townships	80.00
Magistrate, York-Bethesda Townships	2,100.00
Telephone, Magistrate, York-Bethesda Townships	125.00
Office rent, York-Bethesda Townships	180.00
Magistrate, Catawba-Ebenezer Townships	3,000.00
Constable, Catawba-Ebenezer Townships	2,870.00
Clerk, Catawba-Ebenezer Townships	3,120.00
Telephone, office expenses, Magistrate, Catawba-Ebenezer Townships	1,100.00
Magistrate, Fort Mill Township	2,100.00
Constable, Fort Mill Township	1,320.00
Telephone, Magistrate, Fort Mill Township	125.00
Maintenance and janitor service, Magistrate's office—Fort Mill	300.00
Maintenance and janitor service, Magistrate's office—Clover	300.00

Provided, salaries above shall be paid in twelve equal monthly installments.

Provided, that the magistrates' reports required by law shall be made under oath.

Dieting prisoners in custody of magistrates other than in county jail, not to exceed fifty cents per meal for each person	1,000.00
Bond for magistrates and constables	125.00

Total, Item 16\$ 21,390.00

Item 17. Farm and Youth Work:

Demonstration material for Home Demonstration Agent and assistant	\$ 75.00
Boys' and Girls' 4-H work	200.00
York County Artificial Breeding Association ..	3,000.00
County Farm Agent	330.00
Telephone, Home Agent	150.00
Negro Home Demonstration Agent	790.00
Clerical help, Negro Farm and Home Agent ..	1,900.00
Demonstration material, Negro Home Demonstration Agent	50.00
Negro 4-H work	100.00
Telephone	100.00

Total, Item 17\$ 6,695.00

Item 18. General County Expenses:

Annual county audit	\$ 3,000.00
County Attorney	3,000.00
County Attorney, expense	200.00
Secretary to Delegation at \$40.00 per month ..	480.00
Insurance for county employees at \$4.80 per year	480.00
Postage and metering machine and photostat machine	3,000.00
Rescue squad—Fort Mill	150.00
Rescue squad—Rock Hill	150.00
Rescue squad—York	150.00
York County Civil Defense	5,000.00
Solicitor, Criminal, Juvenile and Domestic Relations Court	3,000.00

Total, Item 18\$ 18,610.00

Item 19.	For care of indigent York County residents who are residing in nursing homes	\$ 6,000.00
	Total, Item 19	\$ 6,000.00
Item 20.	Retirement Fund and Social Security for county employees	\$ 20,000.00
	York County Teacher Retirement Fund	1,141.56
	Total, Item 20	\$ 21,141.56
Item 21.	Board of Health	\$ 23,561.00
	Total, Item 21	\$ 23,561.00
Item 22.	Probation Officer:	
	Secretarial help	\$ 1,800.00
	Secretarial help, Rock Hill office	180.00
	Telephone	150.00
	Office supplies	50.00
	Total, Item 22	\$ 2,180.00
Item 23.	Contingent Fund	\$ 32,000.00
	<i>Provided</i> , the money above appropriated shall be used only for such purposes as authorized by a majority of the legislative delegation at a regularly called meeting.	
	<i>Provided</i> , further, that the authorization shall be numbered consecutively and kept on file in the office of the supervisor, or such offices as a majority of the legislative delegation may direct, and the orders or authorizations shall require ratification at the next ensuing session of the General Assembly.	
	Total, Item 23	\$ 32,000.00
	GRAND TOTAL	\$645,885.56
	<i>Provided</i> , the amount herein provided for salary of the sheriff, treasurer and clerk of court shall be in lieu of all fees, and the amounts herein provided shall be the salaries of such officers for all	

their services for the fiscal year beginning July 1, 1962.

For the purpose of meeting the appropriations herein made, the following receipts of York County are hereby allocated for such purposes, together with all other income not specifically allocated to other purposes.

It is estimated that the following special revenue will accrue to the county during the fiscal year 1962-1963:

Insurance Commission Fees	\$ 50,000.00
Fines, Fees and Licenses	155,000.00
Beer and Wine Tax	18,000.00
Whiskey Tax	63,000.00
Bank Tax	9,000.00
Service Officer	6,099.00
Income Tax	90,000.00
Delinquent Taxes	65,786.56
Total	<hr/> \$456,885.56

Estimated amount to be otherwise provided\$189,000.00

To further meet the appropriations contained herein the auditor is authorized and directed to levy a tax of seven mills upon the property of York County, and the treasurer is directed to collect the same, and to credit the proceeds to the several purposes for which appropriations are herein made. *Provided*, the levy for school text books in York County for the fiscal year 1962-63 shall be one and one-half mills.

SECTION 2. The purchase of gasoline, oil and food for the use of the Prison Farm shall be made in wholesale quantities.

SECTION 3. In the Township of York, a special levy of one-half mill is hereby made, the proceeds therefrom to be paid by the Treasurer of York County to the York Public Library, and the Auditor of York County is hereby directed to levy, and the Treasurer of York County is directed to collect, such tax.

SECTION 4. The appropriations herein provided shall not in any case be exceeded, and any contracts which may be made which in any manner provide for the expenditure of funds in excess of those provided herein shall not be binding upon York County, and it is specifically provided that any person selling supplies or other commodities or rendering service to the county is charged with the duty of ascertain-

ing in advance whether or not the appropriations for that purpose are sufficient to pay the same; *provided*, that no revenue to be derived from any levy or appropriation made herein shall be expended or pledged prior to the beginning of the fiscal year 1962-1963. Any official violating the provisions of this section shall be liable under his bond.

SECTION 5. No money appropriated for any specific purpose under the provisions of this act shall be used for any other purpose than that named, without the written consent of a majority of the York County Legislative Delegation, obtained at a regularly called meeting.

SECTION 6. Any amount appropriated in this act may be discontinued at any time by order of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

SECTION 7. In lieu of all countywide taxes now levied for school purposes, except those taxes levied for free textbooks and hot lunches, the auditor shall levy a tax of twenty mills to be used for the following purposes and distributed in the following manner: the proceeds from ten mills shall be distributed to all school districts in proportion to the ratio which each school district State aid for school teachers' salaries bears to the total school teachers' State aid for salaries in the county; the proceeds from ten mills shall be distributed to each high school or high school district in proportion to the ratio each high school or high school district's enrollment bears to the high school enrollment in the county.

Provided, however, that enrollment in parochial schools or State-owned and operated schools shall not be counted and shall not be allowed the use of any of the proceeds of the tax imposed in this section.

Provided, further, that no school district shall impose a levy of more than ten mills on the property within the district, except to provide for the payment of interest on and retirement of bonded indebtedness, except upon the written approval of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

Provided, further that the appropriations contained in this section shall be paid from the countywide tax for ordinary school purposes:

Salary, Librarian for schoolbooks	\$ 3,220.00
Travel for visiting teacher, actual mileage driven on county business @ 9¢ per mile, if so much be necessary	700.00

Telephone, stamps, box rent and office supplies .	600.00
For handling school lunch commodities	500.00
Expenses, Board of Education	720.00
York County Rural Library	4,768.00
Supplement, Superintendent of Education's Salary	433.00
Supplement to State Funds School Lunch Program	2,240.00
Superintendent of Education, travel for actual mileage driven on county business at nine cents per mile, if so much be necessary	400.00

Total \$ 13,581.00

The appropriations above made shall be in lieu of
all shares in delinquent taxes collected.

SECTION 8. The county supervisor and the county board of directors, or a majority thereof, are hereby empowered to borrow in anticipation of the revenue hereinabove provided any sum not exceeding the amount appropriated and to not only pledge the revenue hereinabove provided but to pledge the full faith and credit of York County for the repayment of the same. The money shall be borrowed from the York County Sinking Fund Commission at a rate of interest not exceeding three per cent and shall be payable at such time and in such sums as is convenient to the county board of directors and the sinking fund commission, and the sinking fund commission is hereby directed to make such loans. *Provided*, that the supervisor and the county board of directors first obtain the written approval of such loan by a majority of the county legislative delegation at a regularly called meeting of the delegation.

SECTION 9. All county offices in York County Courthouse shall observe as holidays: Christmas Day; the working day immediately preceding Christmas Day and the working day immediately following Christmas Day; New Year's Day; Labor Day; Thanksgiving Day; and July Fourth.

SECTION 10. All orders heretofore made by the legislative delegation, reported to and certified by the clerk of the board of directors, arranged chronologically by date and numbered consecutively in such manner as to fully indicate to the delegation what orders were issued and authorized previously by the delegation, are hereby rati-

fied and confirmed, and the appropriations therein contained are approved.

SECTION 11. The York County Board of Directors and the supervisor, or a majority thereof, may in their discretion approve salaries and deductions pertaining thereto, as provided by law, of county employees by a list or lists rather than separately.

SECTION 12. No tax abatement shall apply to levies necessary to pay debt service of county bonds.

SECTION 13. Any employee or officeholder violating any provision in this appropriation act shall forfeit his or her position of employment or the office they hold.

SECTION 14. Any equipment belonging to York County and now designated "Road Construction Equipment" may be used for road maintenance when not being used for road construction; *provided*, that when the equipment is so used all labor, fuel and minor repair costs shall be paid from "Maintenance Funds."

SECTION 15. The York County Attorney shall represent all agencies, boards, officials and subdivisions in York County, except municipalities, school districts and the York County Natural Gas Authority; *provided*, all such subdivisions, agencies or county officials are hereby specifically prohibited from expending any funds for the employment of any other attorney or attorneys.

SECTION 16. An audit shall be made annually, with a copy to be furnished to each member of the York County Legislative Delegation, and a copy to be filed with the Clerk of Court of York County, of all agencies, boards, bureaus, commissions and school districts of York County, where their activities are not covered by the annual York County audit.

SECTION 17. The county auditor shall cause to be prepared a statement showing for what the proceeds of all taxes levied in York County are to be used. A sufficient number shall be printed and furnished to the Treasurer of York County who is hereby directed to place one in each tax notice mailed out by the treasurer's office.

SECTION 18. The tax collector may call on the sheriff or any deputy sheriff of the county, and any constable in the county, to render him such aid and assistance as may be necessary, which shall be rendered without other costs than those provided by law, in the

ejection of any occupant or tenant in possession of any property at any time when ejection shall be lawful and proper in the discharge of his duty as such officer.

SECTION 19. No tort claim against York County shall be paid by the board of directors or the supervisor except on written approval of the county attorney.

SECTION 20. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R716, S481)

No. 1269

An Act To Provide For The Transfer Of Certain Funds And The Discontinuance Of Certain Accounts By York County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County to discontinue certain accounts.—The supervisor and treasurer of York County are hereby authorized and directed to discontinue the following accounts and transfer the balance of such accounts to the general fund of the county:

Road and Bridge Manitenence	\$ 7.75
Rural Police Commission	5.00
Board of Public Welfare	10.28
York County Permanent Road and Bridge	16.09
York County Prison Camp Equipment	72.58
York County Rural Fire Truck Maintennace	1.50

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1962.

RULES AND REGULATIONS

Adopted Under General and Permanent Laws Of The State of South Carolina

FILED IN THE OFFICE OF THE SECRETARY OF STATE AS OF
MAY 31, 1962

Published Pursuant to Section 1-16, Code of Laws of
South Carolina, 1952

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SUPREME COURT RULES

(Filed in the office of the Code Commissioner August 31, 1961)

ORDERS

For good and sufficient reasons appearing, it is

Ordered that Section 9 of Rule 8 is amended so as to read as follows:

"In all cases to be reached for hearing at any monthly term of the Court, the appellant shall, at least twenty days before the commencement of such monthly term, serve three copies of his brief on counsel for the respondent and deliver to the Clerk fifteen copies thereof; five days before the commencement of any monthly term of the Court the respondent shall serve three copies of his brief on counsel for the appellant and deliver to the Clerk fifteen copies thereof; one day before the case is called for hearing the appellant may file with the Clerk fifteen copies of a reply brief and serve three copies thereof on counsel for the respondent.

"Upon the failure of the appellant to file and serve his brief within the time prescribed, the Clerk of this Court shall sign an order dismissing the appeal.

"If the appellant desires an extension of time in which to file his brief, he must secure the consent of the respondent or his attorney and an Order of one of the Justices of the Court granting the extension, said agreement or Order to be filed in the office of the Clerk. An Order granting an extension of time will only be given upon a good and sufficient showing. A case dismissed by the Clerk will not be reinstated except for good cause, upon motion made in open court. If the case is reinstated, the Court will tax against the appellant such costs as it deems proper."

It is further ordered that Rule 25 is amended by striking it in its entirety and inserting in lieu thereof the following:

"No case shall be continued to the next term except by order of the Court or a Justice thereof."

(Filed in the office of the Code Commissioner November 16, 1961)

It is ordered that Sections 1, 4, 7, 8, 11 and 18 of the Rule on Disciplinary Procedure adopted by this Court May 31, 1958, be amended as follows:

Section 1 (b). After the word "pollute", insert the words "or obstruct", so that Section 1 (b) shall read as follows:

"(b) concerning practices of any member of the bar of this state which tend to pollute or obstruct the administration of justice or to bring the courts or the legal profession into disrepute; and".

Section 4. After subsection (c), change the period to a semi-colon, and add as subsection (d) the following:

"(d) conduct tending to pollute or obstruct the administration of justice or to bring the courts or the legal profession into disrepute."

Section 7. In the first paragraph, strike out the word "or" just before "(2)", change the period after the word "association" to a semi-colon, and then add the following: "or (3) a member of the Board of Commissioners as provided in Section 31 of this Rule."

Section 8. In the second sentence, after the word "not" and before the word "charge", insert the words "state facts sufficient to".

Section 11. At the beginning of this section insert the following: "11. Whenever the panel in its report shall have recommended disbarment, suspension, or public reprimand, the Board of Commissioners,

through its secretary, shall, before acting upon such report, notify the respondent and his counsel, if any, of the time and place at which the Board will consider the report for the purpose of determining its action thereon, such notice to be given not less than thirty days prior to such meeting. And the respondent and his counsel shall have the right, and shall be so informed in said notice, to appear before the Board at said meeting and thereupon to submit briefs and be heard in oral argument in opposition to the recommendations of the panel. Like notice shall be given, and like opportunity to submit briefs and be heard in oral argument in support of the recommendations of the panel shall be afforded, to the complainant and his counsel, if any."

Section 18. Strike out this section and insert in its stead the following: "Unless and until otherwise ordered by this court, all proceedings and documents relating to complaints and hearings thereon and to proceedings in connection therewith shall be private, unless the respondent shall in writing request that they be public. All complaints shall be captioned 'In The Matter of _____' (Name of respondent to be inserted); and except for the official records of the Board and of this court, all references to the respondent throughout any disciplinary proceeding under this Rule shall be by the use of the term 'Anonymous', unless and until this court shall otherwise order."

RULES ON DISCIPLINARY PROCEDURE

(Filed in the office of the Code Commissioner November 16, 1961)

1. Creation of Board of Commissioners on Grievances and Discipline.

There is hereby created as Commissioners of this Court a Board of Commissioners on Grievances and Discipline. The said Board of Commissioners is empowered and charged to receive, entertain, inquire into, take proofs, make findings, and submit recommendations to this Court, as hereinafter provided:

- (a) concerning complaints of misconduct, as hereinafter defined, on the part of any member of the bar of this state;
- (b) concerning practices of any member of the bar of this state which tend to pollute or obstruct the administration of justice or to bring the courts or the legal profession into disrepute; and
- (c) relating to petitions for reinstatement to the practice of law in this state.

2. Constitution, Appointment and Tenure of the Board of Commissioners on Grievances and Discipline.

The said Board of Commissioners shall be appointed by this court and shall consist of one (1) member of the bar of this state from each of the Judicial Circuits of the state. The term of office of each member of the said Board shall be three years, and shall begin on the first day of October next following his or her appointment, except that of the members first appointed, those from the First, Fourth, Seventh, Tenth and Fourteenth Circuits shall be appointed for terms of one year each and those from the

Third, Sixth, Ninth and Twelfth Circuits for terms of two years each. Vacancy for any cause shall be promptly filled by appointment by this Court for the unexpired term. At the time of its initial appointments to membership, and each year thereafter, this Court shall designate one member as Chairman of the said Board of Commissioners and shall also designate a Secretary, who may, but need not, be a member of the said Board.

3. Rule Exclusive.

All proceedings for the investigation of complaints and grievances involving alleged misconduct of any member of the bar of this state, all proceedings for the discipline of such members of the bar, and all proceedings for reinstatement to the practice of law in this state shall be brought, conducted and disposed of in accordance with the provisions of this rule.

4. Misconduct Defined.

Misconduct, as the term is used herein, means any one or more of the following:

- (a) violation of any provision of the oath of office taken upon admission to the practice of law in this state;
- (b) violation of any of the Canons of Professional Ethics as adopted by this court from time to time;
- (c) commission of a crime involving moral turpitude;
- (d) conduct tending to pollute or obstruct the administration of justice or to bring the courts or the legal profession into disrepute.

5. Manner of Discipline.

Every member of the bar found guilty of misconduct shall be disciplined, in accordance with the seriousness of such misconduct, by:

- (a) permanent disbarment; or
- (b) suspension for an indefinite period from the office of attorney at law, subject to reinstatement only as hereinafter provided; or
- (c) public reprimand; or
- (d) private reprimand.

6. Effect of Discipline.

A person disbarred shall never be readmitted to the practice of law in this state.

A person who, having voluntarily surrendered his license to practice, has been thereafter reinstated in the manner hereinafter provided, or who, having been suspended for an indefinite period from the office of attorney at law, has been thereafter reinstated in the manner hereinafter provided, shall be disbarred upon being found guilty of subsequent misconduct.

A person who, having been publicly reprimanded for misconduct, is thereafter found guilty of subsequent misconduct, shall be suspended for an indefinite period from the office of attorney at law, or permanently disbarred, depending upon the seriousness of such misconduct.

7. Complaint.

A complaint, as the term is used herein, means a formal written complaint alleging misconduct on the part of a member of the bar of this state, who shall be designated therein as the respondent. The complainant

may be (1) any individual, firm or corporation; (2) the grievance committee of a regularly organized local bar association; or (3) a member of the Board of Commissioners as provided in Section 31 of this Rule. Such complaint shall not be accepted for filing unless it is:

- (a) verified under oath of the complainant; or
- (b) signed by one or more members in good standing of the bar of this state, as counsel for the complainant. Signature by such counsel shall constitute a representation that he or they (1) have investigated the charges of misconduct alleged in the complaint, (2) believe reasonable cause exists to warrant a hearing on said complaint, and (3) have accepted the responsibility of prosecuting the complaint to conclusion. When the grievance committee of a regularly organized local bar association is the complainant, verification of the complaint shall be by the chairman of that committee.

8. Filing of Complaint; Procedure Thereon.

All complaints shall be filed in quadruplicate with the Secretary of the Board of Commissioners. If the said Board of Commissioners shall find that the complaint, upon its face, does not state facts sufficient to charge misconduct as herein defined, the said complaint shall be dismissed, and the Secretary of the Board shall so notify the complainant. Otherwise the said Secretary shall forthwith cause to be sent to the respondent by registered mail a copy of said complaint, together with a notice, signed by the said Secretary, requiring the respondent, within twenty (20) days after the mailing of such notice, to file with the Board, in quadruplicate, his answer to the complaint, and to serve a copy of said answer upon the complainant or his counsel of record. The answer shall be signed by the respondent or by his counsel, or by both, and may, but need not be, verified.

9. Hearing by Panel of Three Commissioners.

After respondent's answer has been filed, or the time has expired within which respondent was required to file such answer, a formal hearing shall be held, upon reasonable notice to complainant and respondent or their counsel, by a panel of three (3) Commissioners appointed by the Chairman of the said Board of Commissioners, who shall designate one member of such panel as chairman of the panel. No member of such panel shall be a resident of the Judicial Circuit from which the complaint originated, or of the Judicial Circuit in which the respondent resides at the time of the filing of the complaint.

10. Duty of the Panel.

- (a) If the panel shall find that the charges in the complaint are not supported by the evidence or do not merit the taking of disciplinary action, the complaint shall be dismissed; and such dismissal shall be reported to the Secretary of the Board of Commissioners, who shall thereupon so notify the respondent, the complainant, all counsel of record, and, when deemed appropriate, the local bar association or associations of the county or counties in which respondent resides and maintains an office, and of the county or counties from which the complaint arose.

(b) If the panel shall find and determine that the respondent is guilty of misconduct and that private reprimand should be administered, such panel shall administer such reprimand; and such action shall be reported to the Secretary of the Board of Commissioners, who shall thereupon so notify the same persons and organizations that would have been notified if the complaint had been dismissed by said panel.

(c) If the panel shall find and determine that the respondent is guilty of misconduct meriting public reprimand, indefinite suspension, or permanent disbarment, it shall make a certified report of the proceedings before it, including its findings of fact and recommendations, and shall file the same, together with a transcript of the testimony taken, such exhibits as may have been in evidence before it, and an itemized statement of the actual and necessary expenses incurred by it in connection with such proceedings, with the Secretary of the Board of Commissioners.

11. Review by the Board of Commissioners; Private Reprimand.

Whenever the panel in its report shall have recommended disbarment, suspension, or public reprimand, the Board of Commissioners, through its Secretary, shall, before acting upon such report, notify the respondent and his counsel, if any, of the time and place at which the Board will consider the report for the purpose of determining its action thereon, such notice to be given not less than thirty days prior to such meeting. And the respondent and his counsel shall have the right, and shall be so informed in said notice, to appear before the Board at said meeting and thereupon to submit briefs and be heard in oral argument in opposition to the recommendations of the panel. Like notice shall be given, and like opportunity to submit briefs and be heard in oral argument in support of the recommendations of the panel shall be afforded, to the complainant and his counsel, if any.

Upon consideration of the report of the panel, the Board of Commissioners may:

- (a) refer the matter back to the panel for further hearing; or
 - (b) order a further hearing before the said Board of Commissioners;
- or
- (c) proceed upon the certified report of the prior proceedings before the panel.

Upon its final review, the Board of Commissioners may either dismiss the complaint or find that the respondent is guilty of misconduct. If the Board shall determine that a private reprimand should be administered, it shall administer such reprimand. If the complaint is dismissed, or if a private reprimand is administered, the Secretary of the Board of Commissioners shall thereupon so notify the same persons and organizations that would have been notified if the complaint had been dismissed by the panel that heard the matter.

12. Public Reprimand; Suspension or Permanent Disbarment; Duty of Board after Review.

If the Board of Commissioners shall determine that the respondent is guilty of misconduct meriting public reprimand, indefinite suspension, or

permanent disbarment, it shall make a final certified report of the proceedings before it, including its findings of fact and recommendations, and shall file the same, together with a transcript of the testimony taken, and such exhibits as may have been in evidence before it, and an itemized statement of the actual and necessary expenses incurred by the hearing panel and by the Board in connection with the proceeding, in the office of the Clerk of this court; and the Secretary of the Board of Commissioners shall forthwith notify the respondent and the complainant, or their counsel, of such action, enclosing with such notice a copy of the Board's findings of fact and recommendations and a copy of the statement of expenses before mentioned.

13. Court to Order Respondent to Show Cause.

Upon the filing of such final report of the Board of Commissioners, this Court shall issue its order directed to the respondent, requiring him to show cause before this court at a time to be therein specified, but not less than forty (40) days after issuance of such order, why the report of the Board of Commissioners should not be confirmed and a disciplinary order entered. Copies of such order to show cause, certified by the Clerk of this court, shall be served under his direction upon the respondent and the complainant, or their counsel, personally or by registered mail.

14. Return of Respondent; Briefs.

At least twenty (20) days before the date for showing cause stated in the order of this Court, the respondent shall make return to said order, setting forth his grounds of objection to the findings and recommendations of the Board of Commissioners and to the entry of a disciplinary order or to the confirmation of the report of said Board upon which the said order to show cause was issued, and shall file with the Clerk of this court the original and ten copies of such return, together with proof of service of the said return upon the Secretary of the Board of Commissioners, upon the complainant or his counsel, and upon the **Attorney General of South Carolina**, who shall thereafter participate in the proceeding in the public interest. At the time of filing his return as aforesaid, the respondent shall also file with the Clerk of this court the original and ten copies of a brief in support thereof, together with proof of service of said brief upon the Secretary of the Board of Commissioners, upon the complainant or his counsel, and upon the **Attorney General**.

15. Briefs on the Part of Complainant.

Within fifteen (15) days after the filing of respondent's brief, the **Attorney General** and counsel for the complainant shall, jointly or severally, file with the Clerk of this court the original and ten copies of such brief or briefs as they may deem necessary in answer thereto, together with proof of service thereof upon respondent or his counsel of record and upon the Secretary of the Board of Commissioners.

16. Form of Return and Briefs.

The return and briefs may be either printed or typewritten, mimeographed or machine duplicated. If printed, they shall conform to the requirements of Rule 5 of this court; if typewritten, mimeographed or machine duplicated, they shall conform to the requirements of Rule 6.

17. Review by Court.

Upon failure of the respondent to make return to the order to show cause within the time hereinbefore prescribed, or after consideration of the return and such briefs as may have been filed in support of and in opposition to the same, and after hearing argument, if this court shall desire to hear argument, thereabout, this court shall enter such order upon the matter as it may find proper, and may include in its order such provision for reimbursement of the actual and necessary expenses incurred by the hearing panel and by the Board of Commissioners as the court shall deem proper. Upon the entry of any disciplinary order pursuant to this rule, the Clerk of this court shall mail certified copies thereof: to the respondent, at his last known address; to the complainant; to all counsel of record; to the Board of Commissioners; to the local bar association or associations in the county or counties in which the respondent resides and maintains an office, and in the county or counties from which the complaint originated; to the Clerk of the Court of Common Pleas in each of said counties; and to the Clerk of the District Court of the United States for the district in which said counties are located.

18. Proceedings Private Until Filed in Supreme Court.

Unless and until otherwise ordered by this court, all proceedings and documents relating to complaints and hearings thereon and to proceedings in connection therewith shall be private, unless the respondent shall in writing request that they be public. All complaints shall be captioned "In The Matter Of _____" (Name of respondent to be inserted); and except for the official records of the Board and of this court, all references to the respondent throughout any disciplinary proceeding under this Rule shall be by the use of the term "Anonymous", unless and until this court shall otherwise order.

19. Quorum of Board or Hearing Panel.

A majority of the members of the Board of Commissioners or of a hearing panel shall constitute a quorum for all purposes; and the action of a majority of those present comprising such quorum shall be the action of the Board of Commissioners or of such hearing panel.

20. Service of Notices, Etc.

Wherever in this rule provision is made for the service of any notice, order, report or other paper or copy thereof upon any complainant or respondent or petitioner in connection with any proceeding involving a complaint or a petition for reinstatement, service may be made upon counsel of record for such complainant, respondent, or petitioner, either personally or by registered mail.

21. Clerk is Agent for Service of Notices on Non-resident Attorneys.

Service of any notice provided for in this rule upon any non-resident respondent who has been admitted to the practice of law pursuant to the rules of this court, or upon any resident respondent who, having been so admitted, subsequently becomes a non-resident or cannot be found at his usual abode or place of business in this state, may be made by the Secretary of the Board of Commissioners by leaving with the Clerk of

this court a true and attested copy of such notice and any accompanying documents and by sending to the respondent, by registered mail, a like true and attested copy, with an endorsement thereon of the service upon the said Clerk, addressed to such respondent at his last known address. The postmaster's receipt for the payment of such registered postage shall be attached to and made a part of the return of service of such notice by the Secretary. The panel or Board of Commissioners or court before which there is pending any proceeding in which notice has been given as provided in this section may order such continuance as may be necessary to afford the respondent reasonable opportunity to appear and defend. The Clerk of this court shall keep a record of the day and hour of the service upon him of such notice and any accompanying documents.

22. Members of Board May Issue Subpoenas and Order Depositions Taken.

Each member of the Board of Commissioners shall have power to issue subpoenas and to administer oaths to witnesses. All such subpoenas shall be issued in the name and under the seal of this court, and shall be signed by a member of the Board of Commissioners. Any member of the Board of Commissioners may order the testimony of a witness to be taken by deposition within or without this State in the manner prescribed for the taking of depositions in civil actions; and such depositions may be used to the same extent as permitted in civil actions.

23. Effect of Refusal to Obey Subpoena or to Testify.

If any person subpoenaed as a witness pursuant to this rule shall refuse or neglect to obey said subpoena, to attend, to be sworn or to affirm, or to answer any proper question, he shall be deemed in contempt of this court and punishable accordingly.

24. Rules of Evidence to be Observed.

The rules of evidence shall be observed in the conduct of all hearings.

25. Docket of Complaints.

The Secretary of the Board of Commissioners shall keep a docket of each complaint and of all proceedings thereon, and the same shall be retained permanently as a part of the records of the Board of Commissioners.

26. When Petition for Reinstatement May be Filed.

No petition for reinstatement to the practice of law shall be filed within two years after the entry of an order indefinitely suspending the petitioner from the practice of law in this State, or within two years after the denial of a petition for reinstatement filed by such petitioner.

27. Contents of Petition for Reinstatement.

Subject to the foregoing restrictions, any person who has been indefinitely suspended from the practice of law and who wishes to be reinstated may file with the Clerk of this court his verified petition, and ten (10) copies thereof, setting forth:

(a) the date when indefinite suspension was ordered, and, if there was a reported opinion concerning the same, the volume and page of the official reports of this court where such opinion appears;

(b) the dates upon which any prior petitions for reinstatement were filed, denied or granted;

(c) the names of all persons and organizations, other than the petitioner and the Board of Commissioners, who were entitled under this Rule to receive from the Clerk of this court certified copies of the disciplinary order of this court resulting in the petitioner's suspension;

(d) the name of the county in which he resides at the time of the filing of the petition, and of each county in which he proposes to maintain an office if reinstated; and

(e) the facts upon which he relies to establish by clear and convincing proof that he has rehabilitated himself.

28. Petition Referred to Committee on Character and Fitness.

Unless the petition for reinstatement be summarily denied for insufficiency in form or substance, the Clerk of this court shall forward five (5) copies thereof to the Secretary of the Committee on Character and Fitness appointed under the rules of this court governing admission of persons to the practice of law in this State; and such petition shall be deemed to be referred, without court order, to said Committee.

29. Action by Committee on Character and Fitness.

The Committee on Character and Fitness shall, with all convenient dispatch, proceed to hold a hearing or hearings, take evidence concerning petitioner's character and his claim of rehabilitation, and report to this court the proceedings had before said Committee, together with the Committee's findings of fact and recommendations. Reasonable notice of all such hearings before the Committee shall be given to the petitioner or his counsel and to the President of the local bar association or associations in the county or counties in which the petitioner resides and in which he proposes to maintain an office in the event of his reinstatement. Such hearings may, in the discretion of the Committee, be public, and shall be public if the petitioner so requests in writing. Any interested person, any member of the bar, and any representative of the South Carolina Bar Association or of any local bar association may appear before the committee in support of, or in opposition to, the petition.

30. Committee's Report to be Filed; Procedure Thereupon.

The report of the Committee on Character and Fitness, and six (6) copies of the Committee's findings of fact and recommendations, shall be filed in the office of the Clerk of this court, who shall thereupon notify petitioner or his counsel of such filing and shall with such notice enclose a copy of the Committee's findings of fact and recommendations. If the Committee shall have recommended denial of the petition, the petitioner shall have ten (10) days from the date of his receipt of notice thereof from the Clerk within which to file with the said Clerk objections to the report and brief in support of such objections, together with five copies of such objections and brief; but no oral argument will be heard thereon. Upon consideration of the Committee's report and of such objections and brief as may have been filed by the petitioner concerning the same, the court shall enter such order as it may deem appropriate, and may include

in such order such provision for reimbursement of the actual and necessary expenses incurred in connection with the proceedings as shall appear just and proper.

31. Investigation at Instance of Chairman; Procedure Thereunder.

(a) Whenever, from sources deemed by him reliable, the chairman of the Commission learns of an attorney (who is licensed to practice in South Carolina) engaging in practices in violation of his duty as such attorney, and the Chairman comes to the conclusion that an investigation should be made, he shall designate one member of the Commission to act as an investigator. The member so designated shall investigate these reported violations of duty, and for this purpose he may call to his assistance such public investigating agencies as he may think proper. After making such investigation, should the investigator come to the conclusion that a complaint (as described in the Section 7 hereof) should be made against the attorney investigated, he shall file such in his official capacity and be responsible for the prosecution thereof to a conclusion.

(b) When a member of the Commission shall have been selected to investigate the conduct of a particular member of the bar, he shall thereafter be disqualified to act as a member of the Commission insofar as such conduct of said member of the bar is concerned, otherwise than as such investigator and prosecutor as above set out.

32. Rule to be Liberally Construed.

The process and procedure under this rule shall be as summary as reasonably may be. Amendments to any complaint, notice, answer, objection, return, report or order may be made at any time prior to final order of the court. Any party affected by such amendment shall be given reasonable opportunity to meet any new matter presented thereby. No investigation or procedure shall be held to be invalid by reason of any non-prejudicial irregularity or for any error not resulting in a miscarriage of justice. This rule shall be liberally construed for the protection of the public, the courts, and the legal profession, and shall apply to all pending complaints and investigations so far as may be practicable, and to all future complaints, investigations and petitions whether the conduct involved occurred prior or subsequent to the effective date of this rule. To the extent that application of this rule to such pending proceedings may not be practicable, the procedure in force at the time this rule became effective shall continue to apply.

Every communication, whether oral or written, made by or on behalf of any complainant to the Board of Commissioners or any hearing panel or member thereof, pursuant to this Rule, whether by way of complaint or testimony, shall be privileged; and no action or proceeding, civil or criminal, shall lie against any such person, firm or corporation by or on whose behalf such communication shall have been made, by reason thereof.

33. The Board of Commissioners is empowered to adopt rules and regulations not inconsistent with this rule.

RULES AND REGULATIONS

AGRICULTURE COMMISSIONER

Weights and Measures Law

Promulgated under authority of Section 66-163, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State December 7, 1961)

PACKAGES

Declaration of Identity—The declaration of identity shall positively identify the commodity in the package by description, generic term, or the like, unless the commodity may easily be identified through the wrapper or container.

Declaration of Quantity

Net Quantity—The declaration of quantity shall disclose the net quantity of the commodity—that is, the quantity of commodity in the package exclusive of wrappers and any other material packed with such commodity.

Terms—Weight, Measure, or Count—The declaration of the quantity of a particular commodity shall be expressed in such terms of weight, measure, or count, or a combination of count and weight, measure, or size, as have been firmly established in general consumer usage and trade custom and as give accurate information as to the quantity of the commodity. But if there exists no firmly established general consumer usage and trade custom with respect to the terms used in expressing such declaration of quantity, the declaration shall be in terms of liquid measure if the commodity is liquid, or in terms of weight if the commodity is solid, semisolid, viscous, or a mixture of solid and liquid: **Provided**, That, if the commodity is packaged in an aerosol container, the declaration shall be in terms of weight (including the propellant): **And provided further**, That, if the commodity is a textile material, the declaration shall be in terms of linear measure unless the material is one in which there exists a firmly established general consumer usage and trade custom to declare the quantity in terms of weight, in which case the declaration may be in terms of weight.

Units with two or more meanings—When any unit of weight or measure having two or more distinct meanings is employed in a declaration of quantity, the declaration shall identify the particular meaning of the term as it is employed in the declaration. For example, distinction shall be made between “avoirdupois” and “fluid” ounces, and between “liquid” and “dry” quarts and pints. However, such distinction may be omitted when, by association of terms (as in “1 pound 4 ounces” or “1 pint 8 fluid ounces”), the proper meaning is obvious.

Prescribed Units—A declaration of quantity shall be expressed in terms of the largest whole unit of weight or measure (for example, 1 quart liquid

shall be expressed as "1 quart liquid" and not as "2 pints liquid." However, when this results in a whole number and a fraction, the fraction may be expressed in its equivalent in the next smaller whole unit (for example, $1\frac{3}{4}$ quarts liquid may be expressed as "1 quart $1\frac{1}{2}$ pints liquid" or "1 quart 1 pint 8 fluid ounces," but not as "1 quart 24 fluid ounces"; $1\frac{1}{4}$ pounds may be expressed as "1 pound 4 ounces").

Reduction of Fractions—Declarations of quantity may employ only binary-submultiple common fractions or decimal fractions. A common fraction shall be reduced to its lowest terms, and a decimal fraction shall not be carried out to more than two places.

Count to be supplemented—A declaration of quantity in terms of count shall be supplemented by a declaration of the weight, measure, or size of the individual units of the commodity, or of the total weight or measure of the commodity, unless a declaration of count alone is fully informative to the consumer.

Weight or measure to be supplemented—A declaration of quantity in terms of weight or measure shall be supplemented by a declaration of the count or size of the individual units of the commodity, unless a declaration of weight or measure alone is fully informative to the consumer.

Qualification of declaration prohibited—In no case shall a declaration of quantity be qualified by the addition of words "when packed," "approximately," or any words of similar import, nor shall any unit of weight, measure, or count be qualified by any term (such as "jumbo," "giant," "full," or the like) that tends to exaggerate the amount of commodity.

Declaration of responsibility—Any package kept, offered or exposed for sale, or sold, at any place other than on the premises where packed, shall bear on the outside of the package the name and address of the manufacturer, packer, or distributor.

Language—All information required to appear on a package shall appear thereon in the English language.

Prominence and placement—All information required to appear on a package shall be prominent, definite, and plain, and shall be conspicuous as to size and style of letters and numbers and as to color of letters and numbers in contrast to color of background. Such information shall appear on the principal display panel of the package. Any required information that is either in hand lettering or hand script shall be entirely clear and equal to printing in legibility.

Information required on outside container—All information required to appear on a package shall also appear on any outside container or wrapper that is used, unless such container or wrapper is transparent and the information on the package is easily legible through such outside container or wrapper.

To become effective on date of filing.

BOARD OF ARCHITECTURAL EXAMINERS

Promulgated under authority of Section 56-54, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State May 22, 1962)

RULES

(As Revised through April 11, 1962)

The South Carolina State Board of Architectural Examiners on April 11, 1962, adopted the following Rules which supersede any and all other Rules heretofore formulated and adopted by the State Board of Architectural Examiners:

1. Meetings. The Board will meet semi-annually the weeks of the second Monday in April and the third Monday in October. The October meeting shall be known as the Annual Meeting, and the fiscal year shall be from July 1st through June 30th.

The Chairman shall have the authority to change the date of the meeting provided that notice of the new date shall be advertised in at least four prominent newspapers in the State not later than one month prior to the meeting date.

2. Term: No member shall be recommended by the Board to the Governor to serve more than two terms and the remainder of an unexpired term.

3. Officers: The officers of the Board shall be elected at the annual meeting, and shall hold office until their successors are elected and qualified.

The Chairman shall exercise the usual duties of this office. In the absence of the Chairman, the member of the Board who is serving the longest term shall act in his stead.

It shall be the duty of the Secretary-Treasurer to keep an accurate record of all transactions of the Board, to handle all funds, and to act as custodian of all records, seals, and other properties of the Board. He shall issue all notices, certificates of registration and other official papers as herein provided for, or as may be directed by the Board.

The Secretary-Treasurer and the Executive Secretary-Treasurer shall each file with the Board a bond in the amount of Five Thousand (\$5,000.00) Dollars and the premiums shall be paid out of the treasury of the Board.

4. Funds: Fees for the renewal of certificates shall be set annually within the limits of the Act by the Board in session.

All fees and other funds due the Board shall be collected by the Secretary-Treasurer and deposited by him in a bank approved by the Board.

All payments shall be by check signed by the Executive Secretary-Treasurer.

At each annual meeting the Secretary-Treasurer shall exhibit with his annual report vouchers for all payments. The books of the Secretary-Treasurer shall be audited annually by the state auditor or a certified public accountant may be employed at the discretion of the Board.

5. Seal: The seal of the Board shall be circular in shape and $1\frac{3}{4}$ inches in diameter. Concentric with the outside of the Seal there shall be a circle of $1\frac{3}{16}$ inches in diameter, in which there shall be the Seal of South

Carolina. In the annular space between the circle and the outside of the Seal there shall be the following: "Seal of S. C. Board of Architectural Examiners," with the year.

All official documents of the Board shall be embossed with this Seal.

6. Eligibility: Applicants for registration to be eligible for examination shall be not less than twenty-five years of age, and have an education equivalent to graduation from a standard fourteen-unit high school and such other qualifications as are specified in the Act.

7. Registration: Registration for the practice of architecture in the State of South Carolina will be issued as follows:

CLASS A—To all applicants of the age, character, education and experience required by law, upon making a grade of seventy-five per cent, or more on each examination part in a full written or junior examination.

Applicants shall furnish a transcript record from architectural school attended.

Applicants taking the written examination shall be designated by a number or a letter and shall put this number on all examination papers and the letter or number, together with names of applicants, shall be retained in a sealed envelope which shall not be opened until all examination papers have been graded.

If the candidate passes four (4) or more of the seven (7) individual examinations on his first appearance, he may elect to retake only those subjects in which he failed, provided that:

(a) Only two (2) retake examinations are permitted in any individual subject.

(b) All retake examinations are passed within three (3) years (but not to exceed six (6) appearances) from date of original examination.

(c) Otherwise the candidate must retake ALL subjects on EACH and EVERY subsequent appearance.

CLASS B—To applicants from another state, territory or foreign country, applying for registration to practice architecture in the State of South Carolina who submit with their application a Blue Cover N. C. A. R. B. Council Record Certification; or

To any applicant holding a certificate of registration based upon a written examination from another state, territory or foreign country in which the minimum entrance requirements and examination, in the judgment of the South Carolina Board, are equal to the standards prescribed by the National Council of Architectural Registration Boards, and upon a satisfactory showing of his professional standing and character by statement and references, or by oral examination before the Board.

Provided, however, that registration without written examination under Class "B" shall be denied any applicant resident or employed in South Carolina unless such registration by written examination in another state was obtained prior to the applicant's residency or employment in South Carolina; and,

Provided, further, that any candidate having failed a written examination in South Carolina will not be registered under Class "B" unless a minimum of five (5) years have elapsed since registration was obtained in another state.

CLASS C—To any applicant who has ten or more years legal architectural practice as a principal, upon a satisfactory showing of his competency by an exhibit of his work in the form of plans, specifications and photographs of at least three completed buildings; and of his professional standing and character by statement and references, or by personal appearance and oral examination before the Board.

If the applicant holds the certificate of the National Council of Architectural Registration Boards and his NCARB Record in Blue Cover is filed with his application, he will not be required to submit an exhibit of plans and specifications.

8. Applications: Applications for registration must be made on the official forms of the Board, which will be furnished by the Secretary, all blanks filled in, signed and sworn to by the applicant and filed with the Secretary together with a fee of \$25.00 not later than the 1st day of March or the first day of September.

9. Junior Examinations: Written or Junior examinations will be prepared for each meeting by a committee, or obtained from other sources at the discretion of the Chairman. All examination papers shall be graded by committees, which will report to the Board with recommendations. The cost of preparing and grading examinations shall be paid out of the treasury of the Board.

10. Seal: Each registered architect must have a circular Seal $1\frac{5}{8}$ inches in diameter, with his name and address and the words "Registered Architect, State of South Carolina." A firm or corporation in which all the members are registered may use the firm or corporation name; otherwise, there must appear on the seal in addition to such name the name of the registered architect.

All prints or drawings and the title page of all specifications for use in South Carolina must be impressed with this Seal.

11. Discipline: In the suspension and revocation of registration, the Board will be governed by the laws of the State so far as they are applicable. In judging unethical practice, unprofessional conduct and incompetence the Standards will be "Principles of Professional Practice, and the Canons of Ethics of the American Institute of Architects."

12. Trials: Charges against a registered architect must be accompanied by definite specifications and supported by affidavits.

The Board will make a preliminary examination of all such charges and determine if a trial is warranted. If, in the judgment of the Board, a formal trial is necessary the accused will be furnished with a copy of the Specifications and summoned to appear for trial on a specified date.

The Board will be governed by this and other applicable laws of the State in the conduct of the trial.

The Secretary shall have such witnesses subpoenaed as may be designated by both the prosecution and the defense.

Both the prosecution and the defense shall have the right to appear in person and by counsel.

A unanimous vote of the Board shall be required to convict in any trial.

13. Reinstatement: Reinstatement of any registration revoked as a result of action under paragraph twelve may be granted, at the discretion of the

Board and by unanimous vote, upon application and proper showing of complete reformation of the applicant.

14. Reports: The Secretary-Treasurer shall submit to the Board at each annual meeting a financial report.

The Secretary-Treasurer and the Chairman shall at each annual meeting submit a general report, which, upon approval by the Board, shall be filed with the Governor.

15. It is contrary to law to practice architecture under a partnership name, if one or more of the persons referred to in the partnership name is deceased, is not actively engaged in the practice of architecture or is not currently registered to practice architecture in South Carolina, unless the true facts are publicly disclosed.

The following examples are given for use on letterheads, drawings, etc. (NOT ON SEALS):

1. "Doe, Roe & Brown, Architects"

Legal if all three members are registered architects.

2. "Architectural Offices of Roe & Doe"

Legal if both partners are registered architects.

3. "Doe, Roe, Brown & Black—Architects and Engineers"

Legal provided each person is registered in his own profession, and provided it is made clear as to the identity and status of each member.

This is often accomplished by listing the names thus:

Joe Doe, A. I. A.

Richard Roe, A. S. C. E.

George Brown, A. S. M. E.

Frank Black, R. A. (or Architect)

It is also proper to list staff members with their titles, for example:

James Blue, Office Manager

Ralph Smith, Delineator

T. M. Snow, Accountant

4. "John Jones—Architect
William Snow—Consulting Architect"

This is legal provided Jones is registered in South Carolina and provided the status of Snow is made clear. This could be done by the addition of a notation reading "Registered . . . (other) State."

4a. The following examples are given for use on letterheads, drawings, etc., by persons who purchase the practice of a deceased or retired person or persons:

The Office of John Doe

John Doe (1950-59)—or (Retired)

Richard Black, A. I. A.

John Black, R. A.

or

The Office of

John Doe Associates

Architects

John Doe (1900-1959)—or (Retired)

Richard Black, A. I. A.

John Black, R. A.

The following examples are given as being considered NOT legal:

5. "John Doe & Associates, Architects"

Illegal unless the "Associates" are identified. This is often accomplished by listing the "Associates" names thus:

John Doe, A. I. A.

Richard Roe, Architect

George Brown, Structural Engineer

Frank Black, Mechanical Engineer, Etc.

6. "John Doe, Architect, Frank Black, Associate"

Illegal unless Black is registered in South Carolina because the use of the title "Associate" appears to indicate that Black is also a registered architect.

7. When a former member of a partnership is not living or is not registered in South Carolina, it is illegal to practice architecture under the former partnership name unless the facts are clearly stated, for example:

"John Doe, Architect, successor to Doe & Brown," or

"Office of Doe & Brown, John Doe, Architect"

It is proper to place on the office stationery, clarification of the status of the partners somewhat as:

John Doe, A. I. A.

Arthur Brown, 1890-1949

8. "Doe Brothers—Architects"

This is illegal because the names of the "brothers" are not given, although they both or all may be registered.

16. It is contrary to law to practice architecture under a corporate name unless the person or persons connected with such corporation and in responsible charge of such practice is registered to practice architecture in South Carolina and identified on said corporation's letterheads, drawings, specifications, listings, public announcements, etc., in the following manner:

(Name of Corporation)

John Doe, A. I. A.

Richard Brown, R. A.

17. Out-of-State architects doing work in South Carolina in association with a registered South Carolina architect, must obtain South Carolina registration prior to such practice. In the event such out-of-state firm consists of more than one (1) individual (or partner), it will be necessary that only one (1) such individual (or partner) be registered in South Carolina. **Note:** the above applies to firm associations for one or more jobs but does not apply to out-of-state architects retained by South Carolina architects as Consultants only.

18. Any out-of-state architect desiring to establish a branch office in South Carolina shall be registered in South Carolina and further, such branch office shall at all times be in responsible charge of a partner or associate of said firm, who shall be registered and resident in South Carolina for the duration such branch office is in operation.

CLEMSON COLLEGE**State Crop Pest Commission**

Promulgated under authority of Section 3-104, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State July 12, 1961)

Nursery Regulations

Revised April 15, 1960

Definitions

Nursery: Any place where nursery stock is grown for sale.

Nursery Stock: All fruit, nut and shade trees, all ornamental plants and trees, bush fruits, buds, grafts, scions, vines, roots, bulbs, seedlings, slips or other portions of plants (excluding true seeds) transported for propagating purposes.

Nurseryman: Any person engaged in the production or collection of nursery stock for sale or distribution.

Dealer: Any person not a grower of nursery stock who buys certified nursery stock for the purpose of resale. Any nurseryman operating a sales lot independently or separately from his nursery shall be classified as a dealer.

Person: Individual, corporation, partnership, firm or association.

Inspector: An employee of the South Carolina State Crop Pest Commission designated to enforce these regulations.

Regulations**1. Application For Inspection**

Any nurseryman, dealer or person desiring to engage in, conduct or carry on business of growing, selling, dealing in or importing for sale or distribution of nursery stock, shall make application for inspection and certification not later than June 1, of each year. Anyone failing to make application for inspection prior to June 1 will be charged the cost of the inspection. This does not apply to the initial inspection of a new business.

2. Inspection

Prior to certification, all nurseries in the State of South Carolina must be inspected by a representative of the South Carolina State Crop Pest Commission and all plants in said nursery must be approved as being apparently free of injurious plant pests and in good physical condition. Nurseries should be sufficiently free of weeds and grasses so as to afford a dependable inspection. Subsequent inspections shall be made as necessary to insure that these regulations are carried out or if there is a threat of the introduction of new and dangerous pests. In the event that any inspection reveals the presence of dangerous pests certification may be cancelled until such conditions required by said inspector be corrected to the satisfaction of the inspector and the South Carolina State Crop Pest Commission.

3. Certificate of Inspection

A certificate of inspection shall be issued to those nurseries and dealers that meet the necessary requirements. Certificates so issued shall be on

an annual basis and shall expire on September 30 of the following year unless sooner revoked for cause. The inspection certificates shall be conspicuously displayed at each nursery or place of business.

Any registered nurseryman or dealer may have a duplicate copy of his inspection certificate filed with the proper official of any other state or country upon request.

4. Nursery Dealers

- A. Dealer's Certificate: All dealers in nursery stock must execute a regular application obtained from the South Carolina State Crop Pest Commission. A dealer's permit will be issued only after an acceptable certificate, issued by a qualified official of the state or country from which plants are purchased, is on file with the South Carolina State Crop Pest Commission and/or inspection of the premises. Dealers must comply with the rules and regulations of the South Carolina State Crop Pest Commission with reference to the use of inspection tags. The Dealer Certificate expires September 30 of each year and may be revoked for cause.
- B. Sales From Vehicles: Person selling nursery stock directly from a vehicle to the public shall be considered nursery dealers and must comply with all rules and regulations pertaining to the sale of nursery stock in South Carolina.
- C. A dealer's certificate must be conspicuously displayed in or on each sales location.

5. Use Of Nursery Permit Tags

A valid permit tag issued by the South Carolina State Crop Pest Commission shall be conspicuously attached to each lot or container of plants constituting a single sale or transaction moved into or within the State of South Carolina. **However, permit tags will not be required on local retail sales where such sales are made direct to the ultimate user of such stock.**

6. Cost Of Permit Tags

Permit tags will be issued to certified nurserymen and dealers on a cost basis. A price-list may be obtained from the South Carolina State Crop Pest Commission.

7. Out-Of-State Nurseries

- A. Out-of-state nurseries and dealers must file with the South Carolina State Crop Pest Commission, valid certificates of inspection issued and personally signed by the state inspector or corresponding official of the state of origin showing that the plants have been inspected, and found apparently free of injurious pests.
- B. Out-of-state nurseries shall not be required to attach a South Carolina permit tag to shipments coming into this state, nor to file duplicate invoices of the stock shipped, nor to pay a nursery fee provided like privileges are accorded South Carolina nurserymen when making shipments into other states.
 - (a) However, in such states as require duplicate permit tags and/or duplicate invoices and/or nursery fees of nurserymen in South Carolina, then the South Carolina State Crop Pest Commission

shall require nurseries in those states to purchase South Carolina permit tags, file duplicate invoices and pay a nursery fee.

- C. Each vehicle, package, box, bundle, or container of nursery stock originating outside of South Carolina and being moved into South Carolina for customer delivery or for resale must have attached to it a valid permit tag from the state or country of origin stating in effect that the nursery stock being moved has been inspected and certified by an authorized official as apparently free of injurious plant pests. Any shipment of nursery stock entering South Carolina not accompanied by such a tag shall be declared a public nuisance and may be returned to the shipper, treated, destroyed or otherwise disposed of by the inspector. Any plants moving from outside South Carolina whether or not accompanied by a valid permit tag, found infested with injurious plant pests shall be declared a public nuisance and may be returned to the shipper, treated, destroyed or otherwise disposed of to the satisfaction of the inspector.
- D. Nurseries growing peach or nectarine stock for shipment into South Carolina must file with the office of the South Carolina State Crop Pest Commission a certificate issued by the inspection official of the state of origin showing that the nursery environs were inspected for phony peach disease and all diseased trees found were removed prior to June 30th of the year preceding shipment.
- E. The movement or shipping of citrus nursery stock into the state of South Carolina is prohibited by law except by special permit.

8. Penalties

Any person, firm or corporation found guilty of violating the provisions of this regulation shall be subject to the penalties provided for by Section 3-111, Code of Laws of S. C., 1952.

9. All previous regulations on this subject are hereby revoked.

Reconfirmed May 16, 1961.

Sweet Potato Regulations

Revised November 15, 1958

1. All persons desiring to sell, barter, or give away sweet potatoes for seed purposes or who expect to bed sweet potatoes for the purpose of selling plants must have at least three inspections by the South Carolina State Crop Pest Commission and a certificate stating that they were found apparently free from the sweet potato weevil (*Cylas formicarius* Oliv.) black rot, stem rot and other especially injurious insects and diseases of the sweet potato.

(a) **First Inspection:** The first inspection shall be made while the crop is in the field, preferably the latter part of August and during September. During this inspection especial attention is given to stem rot or wilt.

(b) **Second Inspection:** The second inspection is made sometime during storage. During this inspection especial attention is given to black rot.

(c) **Third Inspection:** This is an inspection of the beds and is soon after the plants come up. Other inspections may be made when in the judgment of the Commission it is deemed necessary.

2. Growers will be required to treat seed potatoes prior to bedding and to bed in soil that has been properly treated. Recommended treatment procedures may be obtained from members of the Commission, from county agents or any qualified agricultural official.

3. Sweet potatoes for seed purposes or sweet potato plants shipped within or out of the State of South Carolina must be accompanied by a sweet potato permit of the South Carolina State Crop Pest Commission. This permit is issued at cost after all requirements of these regulations are met. Any grower desiring to ship sweet potato plants out of the State of South Carolina should notify this Commission so that a duplicate copy of his sweet potato certificate might be filed with the state concerned.

4. Sweet potatoes for seed purposes or sweet potato plants may be shipped into the State of South Carolina only after a certificate of inspection has been filed with the South Carolina State Crop Pest Commission by the state concerned and each shipment accompanied by a permit issued by the state concerned.

5. All persons, firms or corporations desiring to have their premises inspected for permit to transport sweet potatoes or sweet potato plants for propagating purposes shall make application before August 1, of each year. Applications received after the above date will not be acted upon until the first inspection is due again the following year. Persons planning to buy seed sweet potatoes from other sources in order to bed and sell plants must purchase these potatoes from inspected growers in order to qualify for a permit. A list of these growers may be obtained from the South Carolina State Crop Pest Commission, Clemson, South Carolina, upon request.

These regulations became effective November 15, 1958, and supercede all previous regulations governing sweet potato inspections.

Reconfirmed May 16, 1961.

Regulations Governing The Shipment Of Tobacco Plants Into South Carolina

Revised September 1, 1959

The fact has been determined that two serious virus diseases affecting tobacco known as Potato Y Veinbanding and Etch Mosaic are not generally present in the State of South Carolina. If these diseases become established in the tobacco growing areas of the state they will cause serious losses to the tobacco farmer.

In order to prevent the introduction of these diseases into South Carolina, the South Carolina State Crop Pest Commission hereby establishes a quarantine setting forth the names of the diseases against which this quarantine is established, the quarantined areas, the regulated products, and the conditions for movement of regulated products.

PESTS: The virus diseases Potato Y Veinbanding and Etch Mosaic.

QUARANTINED AREAS:

1. Prohibited Area.

Florida—Counties of:

Broward	Glades	Indian River	Okeechobee
Charlotte	Hardee	Lee	Palm Beach
Collier	Hendry	Manatee	Pinellas
Dade	Highlands	Martin	Sarasota
Desota	Hillsborough	Monroe	St. Lucie

2. Regulated Areas.

Florida—Counties of:

Alachua	Flagler	Leon	Saint John
Baker	Franklin	Levy	Santa Rosa
Bay	Gadsden	Liberty	Seminole
Bradford	Gilchrist	Madison	Sumter
Brevard	Gulf	Marion	Suwanee
Calhoun	Hamilton	Nassau	Taylor
Citrus	Hernando	Okaloosa	Union
Clay	Holmes	Orange	Volusia
Columbia	Jackson	Osceola	Wakulla
Dixie	Jefferson	Pasco	Walton
Duval	LaFayette	Polk	Washington
Escambia	Lake	Putnam	

REGULATED PRODUCTS: Tobacco plants.**CONDITIONS GOVERNING MOVEMENT OF REGULATED PRODUCTS:**

- A. No tobacco plants produced within the prohibited area can be moved into the State of South Carolina.
- B. No tobacco plants produced within the regulated area can be moved into the State of South Carolina unless and until they have been certified by the Florida State Plant Board, Gainesville, Florida, as having complied with the following regulations:
 1. Plants must be sprayed or dusted at 7- to 10-day intervals beginning when they have true leaves and continuing until they are pulled. A pre-pulling application is recommended 5 to 7 days prior to pulling. Insecticides used must be approved by the regulatory officials of the state in which the plants are grown for the control of possible insect vectors of the virus diseases Potato Y Veinbanding and Etch Mosaic.
 2. Plants must be field inspected by regulatory officials in the state of origin and approved as being free from injurious insects and plant diseases.
 3. Each container of plants must be marked with a tag bearing a declaration of certification, variety, plants per bundle and plants per container.

4. Each load of certified plants shall be accompanied by a master permit showing: Consignee, Consignor, Date of Issuance, Place of Issuance, Number of Containers for which issued.
5. All tobacco plants not bearing valid certificates of the state of origin are subject to confiscation upon interception.

PENALTIES:

Any person or firm who shall violate these regulations shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided by Section 3-111, Code of Laws of S. C., 1952.

Reconfirmed May 16, 1961.

**Regulations Governing The Shipment Of Tomato Plants Into
South Carolina**

The fact has been determined that each year there is shipped into South Carolina quantities of tomato plants infected with the disease known as Late Blight *Phytophthora infestans*, which causes considerable losses to the tomato industry of this state.

Therefore, The South Carolina State Crop Pest Commission hereby promulgates the following regulations in order to protect the industry in South Carolina from this disease and other pests of tomato plants.

1. All tomato plants shipped into South Carolina must have attached to each container a valid inspection certificate issued by the state of origin.
2. All counties in Florida on a line south of and including Pinellas, Hillsboro, Hardee, Highlands, Okeechobee, and Indian River are hereby placed under quarantine and no tomato plants from those counties will be allowed entry into South Carolina because of the danger of late blight disease, *Phytophthora infestans*.
3. Certified tomato plants must be sprayed or dusted with an approved fungicide starting when the first true leaves appear, and from 5 to 7 days thereafter and a pre-pulling application made from 2 to 3 days prior to pulling.
4. All tomato plants must be field inspected and approved as being reasonably free from injurious insects, nematodes, and plant diseases; except that no tolerance be allowed for the late blight disease, *Phytophthora infestans*. Such inspection shall be made not more than three days prior to pulling and shipping. Certification must be shown by certificates attached to each container and each load must have a master certificate giving the total number of containers, the point of origin, consignor, consignee and grower's code number. Grower's code number shall also appear on each container certificate.
5. All tomato plants not bearing valid certificates of inspection and certification shall be confiscated upon interception.
6. Any person or firm who shall violate these regulations shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided by Section 3-111, Code of Laws of S. C., 1952.

Reconfirmed May 16, 1961.

Regulations Covering Seed Irish Potatoes

Revised May 1, 1961

It has been determined that there are various insects and diseases that seriously affect the yield and quality of Irish potatoes when such infested or infected potatoes are used for planting purposes; and,

It has been demonstrated that the yield and quality of Irish potatoes are improved by planting potatoes that are free or practically free of such insect infestation or disease infection.

Therefore, in order to obtain a superior quality of Irish potatoes for planting purposes under the term of "certified seed Irish potatoes," to prevent misrepresentation of seed Irish potatoes as being of superior quality, to prevent the general introduction into and spread within the state of South Carolina of insect pests and plant diseases affecting Irish potatoes, the South Carolina State Crop Pest Commission hereby promulgates the following regulation, declaring the pests, regulated area, restricted material, conditions governing the issuance and use of certificates for the movement of restricted material, inspections and tolerances governing certification, penalties, and effective date.

PESTS:

Nematodes	Giant Hill	Bacterial Wilt—
Late Blight	Spinach Leaf	Soft Rot
Stem End Discoloration	Haywire	Rosette
Mosaic (Rugose)	Net Necrosis	Witches' Broom
Spindle Tuber	Potato Wart	Mild Mosaic
Scab	Tuber Moth	Hair Sprout
Rhizoctonia	Yellow Dwarf	Sclerotium rolfsii Wilt
Leafroll	Curly Dwarf	

REGULATED AREAS:

All states of the United States, including South Carolina.

All territories of the United States.

RESTRICTED MATERIAL:

All certified Irish potatoes intended for seed purposes and sold, offered for sale, or distributed as such.

**CONDITIONS GOVERNING THE ISSUANCE AND USE OF
CERTIFICATES FOR THE MOVEMENT OF RESTRICTED
MATERIAL:**

Restricted material shall not be moved into, within, sold or offered for sale in the State of South Carolina unless there is firmly affixed to each container an official certified seed Irish potato tag as issued by a properly constituted and recognized authority or agency of the state or territory of origin, and unless the containers themselves (if sacks) are closed by the use of a lead seal or mechanical sealer.

Certified seed Irish potato tags will only be recognized when issued by properly constituted and recognized officials or agencies of the state or territories of origin, and upon determination;

(1) That the person, firm or corporation desiring to grow certified seed Irish potatoes had made application to the proper officer or agency in advance of the planting date, giving the source of his or their foundation stock, which must meet with the approval of the certifying officer or agency within the state or territory where grown.

(2) That the material so certified was inspected at least twice while growing and was within the tolerance allowed for various insects and diseases, as hereinafter set forth.

(3) That an inspection of the potatoes at the time of shipment did not disclose diseases or insect pests beyond the tolerances allowed.

(4) That certified seed Irish potatoes shall be stored in such manner as to preserve their identity.

(5) That all certified seed Irish potatoes shall be tagged in such a manner as to set forth that the potatoes in the container to which the tag is attached have met the requirements for certification as herein set forth.

INSPECTIONS AND TOLERANCES GOVERNING CERTIFICATION:

Field Inspections

At least two field inspections shall be made each year at such time as, in the judgment of the certifying agency, is most appropriate. On any one such inspection pest tolerances shall not exceed the following percentages:

Pest

Rugose Mosaic	2%
Spindle Tuber	2%
Leafroll	2%
Total of above virus diseases not to exceed	3%
Mild Mosaic	5%
Other diseases known or suspected to be of virus origin, such as yellow dwarf, witches' broom, haywire, giant hill, rosette, spinach leaf, curly dwarf	2%
Sclerotium rolfsii wilt	1%
Tuber Moth	0%
Potato Wart	0%
Bacterial Wilt,—Soft Rot, Ring Rot	0%

Tuber Inspection—at time of shipment

Stem End Discoloration	4%
Hair Sprout	5%
Spindle Tuber	1%
Scab and Rhizoctonia	6% of the tuber, by weight, that have more than 5% of the surface covered by scab or Rhizoctonia.
Net Necrosis	5%
Tuber Moth	0%

Late Blight	1%
Sclerotium rolfsii wilt	1%
Nematodes	0%
Potato Wart	0%
Bacterial Wilt,—Soft Rot, Ring Rot	0%

NON-CERTIFIED SEED IRISH POTATOES:

All other Irish potatoes entering the State of South Carolina for seed purposes which do not bear an official certification seed Irish potato tag must have attached thereto a tag prominently stating, "These potatoes are non-certified," and no statement on these tags shall read or imply that the seed potatoes contained therein are of superior quality, personally certified, or registered.

PENALTIES:

Any person, firm, or corporation found guilty of violating the provisions of this regulation shall be subject to the penalties provided for by Section 3-111, Code of Laws of S. C., 1952.

All previous regulations on this subject are hereby revoked.

Confirmed May 16, 1961.

Regulations Governing the Importation into the State of all Five-Leafed Pines, Currants and Gooseberries Because of White Pine Blister Rust.

Revised May 1, 1961

Five-leafed pines.—When the South Carolina State Crop Pest Commission shall determine that there are five-leafed pines now growing in any area in the State, or that such pines are to be grown by a nursery or are to be planted for reforestation purposes in such area, and further that such pines should be protected against the white pine blister rust, the South Carolina State Crop Pest Commission is authorized to designate such area as a "Blister Rust-Control Area" and then prescribe its boundaries.

Currant and gooseberry plants.

(1) All wild and cultivated currant and gooseberry plants growing in any Blister Rust-Control Area are hereby declared to constitute a public nuisance, and the South Carolina State Crop Pest Commission or its agents are authorized to destroy such plants wherever found.

(2) In the case of cultivated currant and gooseberry plants (other than those growing on apparently abandoned or unoccupied premises) the owner of the plants shall be notified by an agent of the said South Carolina State Crop Pest Commission at least ten days in advance of the date on which such plants are to be destroyed, and said owner shall have the right of appeal from the agent direct to the South Carolina State Crop Pest Commission.

(3) No person, firm, or corporation shall knowingly plant any currant or gooseberry plants of any kind or variety within any such blister rust control area unless a special permit shall have been issued therefor by the South Carolina State Crop Pest Commission nor shall any person,

firm or corporation transport such plants into said area from any other part of the State without such a special permit.

Destroying pines.—In order to suppress any centers of blister-rust infection, the South Carolina State Crop Pest Commission or its agents are authorized to destroy five-leaved pine trees either (a) when said trees are found infected with blister rust, or (b) when the cultivated currant and gooseberry plants in the vicinity are of more value than the five-leaved pines, or (c) when the cost of removal of the wild and cultivated currant and gooseberry plants within an infective distance thereof would be greater than the value of the white pine trees involved.

Movement of white pines.—White pines that meet the requirements of nursery inspection regulations and show no visible sign of Blister Rust infection are allowed free movement.

Pines or currant or gooseberry plants subject to seizure.—Any pines or currant or gooseberry plants found to be moving or to have moved within this State in violation of these regulations or into this State in violation of regulations issued by the Secretary of Agriculture of the United States Department of Agriculture under the authority of the plant quarantine act of 1912, shall be subject to seizure, destruction or such other disposition as shall be determined by the South Carolina State Crop Pest Commission.

Penalties.—Any person, firm or corporation found guilty of violating the provisions of this quarantine shall be deemed guilty of a misdemeanor and upon conviction shall be punished by law as provided by Section 3-111, Code of Laws of S. C., 1952.

Confirmed May 16, 1961.

Imported Fire Ant Quarantine

It has been determined that an insect pest known as the imported fire ant has been found in certain areas in the State of South Carolina. In order to prevent the further spread of this injurious insect in South Carolina, the South Carolina State Crop Pest Commission hereby establishes a quarantine setting forth the name of the insect against which the quarantine is established, the regulated areas and the regulated articles, specifying the conditions governing shipments and the issuance of certificates or permits under which the regulated articles may be shipped.

1. **INSECT:** The insect known as the imported fire ant (*Solenopsis Saevissima richteri* Forel) in any state of development.

2. QUARANTINED AREAS:

Charleston County.—That area included within a line beginning at a point where U. S. Highway 17 intersects South Carolina Secondary Highway 57, and extending northeast along South Carolina Secondary Highway 57 to its intersection with South Carolina Primary Highway 61; thence northwest along said highway to its intersection with the Charleston-Dorchester County line; thence east along said county line to its intersection with South Carolina Secondary Highway 75; thence southeast along South Carolina Secondary Highway 75 to its intersection with the Southern Railroad; thence southeast along said railroad to its inter-

section with South Carolina Primary Highway 7; thence southwest along said highway to its intersection with U. S. Highway 17; thence along said U. S. Highway 17 to the point of beginning.

Orangeburg County—That area included within a line beginning at a point where the Atlantic Coast Line Railroad crosses the North Fork Edisto River and extending south along said river to South Carolina Secondary Highway 39; thence east along South Carolina Secondary Highway 39 to its intersection with U. S. Highway 21; thence south along U. S. Highway 21 to its intersection with South Carolina Secondary Highway 80; thence southeast along South Carolina Secondary Highway 80 to its intersection with South Carolina Primary Highway 121; thence northeast along South Carolina Primary Highway 121 to its intersection with U. S. Highway 178 at Bowman; thence northwest along U. S. Highway 178 to its intersection with South Carolina Secondary Highway 196; thence northeast along South Carolina Secondary Highway 196 to its intersection with South Carolina Secondary Highway 50; thence west along South Carolina Secondary Highway 50 to its intersection with South Carolina Secondary Highway 154; thence northwest along South Carolina Secondary Highway 154 to its intersection with South Carolina Secondary Highway 65; thence northwest along South Carolina Secondary Highway 65 to its intersection with the Atlantic Coast Line Railroad; thence southwest along the Atlantic Coast Line Railroad to the point of beginning; excluding the area within the corporate limits of the towns of Orangeburg, Rowesville and Bowman.

Other Areas—Any other area in the State of South Carolina found to be infested. Such areas to become immediately subject to the regulations of this quarantine when so declared by the South Carolina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers, or through direct written notice to those concerned.

3. IMPORTED FIRE ANT: CONDITIONS OF MOVEMENT. Live imported fire ants may be moved from the State of South Carolina only if such movement is made for scientific purposes and when in accordance with the regulations outlined in the regulations of the Imported Fire Ant Quarantine of the United States Department of Agriculture.

4. REGULATED ARTICLES—CONDITIONS OF MOVEMENT.

(a) **Designated articles**—Unless exempted by administrative instructions the following may be moved from any regulated area into or through any point outside of the regulated areas only if accompanied by a valid certificate or limited permit issued in compliance with the Imported Fire Ant Quarantine of the United States Department of Agriculture and its applicable requirements; soil, sand or gravel, separately or with other things, except that the movement of processed soil and gravel is not regulated; forest field or nursery-grown woody or herbaceous plants with soil attached; plants in pots or containers; grass sod; and unmanufactured forest products such as stump wood or timbers if soil is attached; and unlimited by the foregoing, any other products or articles of any character whatsoever not herein listed when it is determined in accordance with the regulations that they present a hazard of spread of imported

fire ant. However, regulated articles of kinds within this paragraph which originate outside of the regulated areas and are moving through or are being reshipped from the regulated areas, may be moved from the regulated area and from the generally infested area into or through the eradication area, without further restriction under this subpart when their point of origin is clearly indicated, when their identity has been maintained, and when they have been safeguarded against infestation while in the regulated area in a manner satisfactory to an inspector and do not present a hazard of spread of the imported fire ant. Otherwise, such regulated articles shall be subject to all applicable requirements under this subpart for articles originating in the regulated area.

(b) **Articles determined to present hazards:** When it has been determined by an inspector that, due to contamination with the imported fire ant, or any other reason, a hazard of spread of the ant is presented by any products or articles of any character whatsoever, not covered in paragraph (a) notice of such fact shall be given to the person having custody thereof. Thereafter, such contaminated products and articles may be moved from the regulated area into or through any point outside thereof, or from the generally infested area into or through the eradication area, only after they have been cleaned, treated, or otherwise disinfected to the satisfaction of the inspector or when they are moving under limited permit as required by the inspector.

5. USE OF CERTIFICATES OR LIMITED PERMITS WITH SHIPMENTS: Every container of regulated articles, or if there is none the article itself, required to have a certificate or limited permit shall have such certificate or permit securely attached to the outside thereof, when offered for movement, except that where the regulated articles are adequately described on a certificate or limited permit attached to the waybill, the attachment of a certificate or limited permit to each container of the articles, or to the article itself, will not be required.

6. PROTECTING CERTIFIED ARTICLES: Subsequent to certification, regulated articles must be loaded, handled, and shipped only under such protection and safeguards against infestation as are required by the inspector.

7. CERTIFICATES, PERMITS, ETC.

(a) The methods and conditions of certification of articles and products, and issuance of certificates, and permits shall be governed by the regulations of the Imported Fire Ant Quarantine of the United States Department of Agriculture.

(b) Certificates may be issued by the inspector for the movement of the regulated articles under any one of the following conditions.

(1) When, in the judgment of the inspector, they have not been exposed to infestation.

(2) When they have been examined by the inspector and found to be free of infestation.

(3) When they have been treated under the observation of the inspector and in accordance with methods selected by him from administratively

authorized procedures known to be effective under the conditions in which applied.

(4) When grown, produced, stored or handled in such a manner that, in judgment of the inspector, no infestation would be transmitted thereby.

(5) **Limited permits**—Limited permits may be issued by the inspector for the movement of non-certified regulated articles to specified destinations for limited handling, utilization or processing.

(6) **Dealer-carrier agreement**—As a condition of issuance of certificates or limited permits for the movement of regulated articles, any person engaged in purchasing, assembling, exchanging, handling, processing, utilizing, treating, or moving such articles may be required to sign a dealer-carrier agreement stipulating that he will maintain such safeguards against the establishment and spread of infestation and comply with such conditions as to the maintenance of identity, handling, and subsequent movement of such articles and the cleaning and treatment of means of conveyance and containers used in the transportation of such articles as may be required by the inspector.

8. ASSEMBLY OF ARTICLES FOR INSPECTION: Persons intending to move any of the regulated articles shall make application for inspection as far in advance as possible, shall so handle such articles as to safeguard them from infestation, and shall assemble them at such points and in such manner as the inspector shall designate to facilitate inspection. Application for inspection can be made to the South Carolina State Crop Pest Commission or to the U. S. Department of Agriculture.

9. CANCELLATION OF CERTIFICATES OR LIMITED PERMITS: Certificates or limited permits for any regulated articles under these regulations may be withdrawn or cancelled and further certificates or permits for such articles may be refused by the inspector whenever he determines that the further use of such certificates or permits might result in the spread of the imported fire ant.

10. RIGHT TO INSPECT—PENALTIES: Any properly identified inspector of the South Carolina State Crop Pest Commission is authorized to inspect, without warrant, any property or article, upon probable cause to believe an infestation of imported fire ant may be present. Any person or firm who shall violate the regulations of this quarantine or who seeks to prevent the inspection or control of the imported fire ant, which may occur on their property under the direction of the South Carolina State Crop Pest Commission or its inspectors shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided for by Section 3-111, Code of Laws of S. C., 1952.

11. WAIVER OF LIABILITY: The South Carolina State Crop Pest Commission or its inspectors will not be responsible in any way for the death of livestock feeding on plants treated for the control of imported fire ant after notice has been given by the South Carolina State Crop Pest Commission or its authorized inspectors that such areas are to be treated. The South Carolina State Crop Pest Commission or its inspectors will not be responsible for any loss to regulated articles treated, fumigated,

sterilized, or processed under methods approved by the South Carolina State Crop Pest Commission.

Reconfirmed May 16, 1961.

Sweet Potato Mosaic Quarantine

Effective May 15, 1959

The fact has been determined that a serious plant disease known as sweet potato mosaic occurs in certain areas of other states.

This disease is not known to occur in South Carolina, and if it becomes established it could seriously jeopardize the sweet potato industry of South Carolina.

In order to prevent the introduction of this disease into South Carolina, the South Carolina State Crop Pest Commission hereby establishes a quarantine setting forth the name of the disease against which this quarantine is established, the infested areas, the regulated areas, the regulated articles, and the conditions governing shipments of regulated products.

I. Disease: Sweet Potato Mosaic.

II. Quarantined Area:

a. Infested Area:

Alabama: County of Cullman.

Georgia: Counties of Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Brantley, Brooks, Bryan, Bulloch, Calhoun, Camden, Candler, Chatham, Charlton, Clinch, Coffee, Colquitt, Cook, Crisp, Clay, Decatur, Dougherty, Early Echols, Evans, Effingham, Glynn, Grady, Irwin, Jeff Davis, Lanier, Lee, Liberty, Long, Lowndes, McIntosh, Miller, Mitchell, Pierce, Pulaski, Randolph, Seminole, Sumter, Tattnall, Telfair, Terrell, Thomas, Tift, Turner, Ware, Wayne and Worth;
and any other county or parish within a state which may hereafter be found to be infested with the sweet potato mosaic.

The county or parish will be the smallest political subdivision recognized in the defining of an infested area.

b. Regulated Area:

Alabama: The entire state;

Georgia: The entire state;

and any other state which may hereafter be found to be infested with the sweet potato mosaic;

and all other states which do not maintain restrictions against the movement of regulated products from the quarantined area.

III. Regulated Products: Sweet potato roots, plants, vines, cuttings, draws and slips, and morning glory plants.

IV. Conditions Governing Shipment of Regulated Products:

A. Regulated products grown in or shipped from the infested area will be prohibited entry into the State of South Carolina.

B. Regulated products from the regulated area will be prohibited entry into the State of South Carolina unless each shipment or lot is accompanied by a certificate issued by and bearing the signature of the

quarantine official of the state where shipment originated, certifying that the regulated products contained in the shipment were inspected during their growing period and were found to be free of the sweet potato mosaic and that, further, that it has been determined by competent, official survey the virus disease is not known to exist in the county from which the shipment originated.

V. Control and Eradication Measures:

Regulated products shipped into the State of South Carolina in violation of this quarantine are subject to destruction or return to the point of origin at the discretion of the South Carolina State Crop Pest Commission.

VI. Penalties:

Any person, firm or corporation found guilty of violating the provisions of this quarantine shall be deemed guilty of a misdemeanor and upon conviction shall be punished by law as provided by Section 3-111, Code of Laws of S. C., 1952.

VIII. In the opinion of said Commission such regulation or prohibition is necessary to prevent the introduction or dissemination of injurious insect pests and plant diseases.

Reconfirmed May 16, 1961.

Sweet Potato Weevil Quarantine

Revised March 1, 1961

The fact has been determined that a destructive insect known as Sweet Potato Weevil is known to occur in parts of the counties of Beaufort and Charleston, South Carolina and in certain other states.

Therefore, The South Carolina State Crop Pest Commission hereby establishes a quarantine hereinafter setting forth the name of the pest against which the quarantine is established, the regulated areas, the regulated products, the conditions governing the issuance of certificates under which the regulated products may be shipped, and conditions governing the production, handling, and shipment of restricted material.

PEST: Sweet Potato Weevil, *Cylas formicarius elegantulus* (Sum.).

REGULATED AREAS:

Alabama: Counties of Baldwin, Coffee, Conecuh, Covington, Escambia, Geneva, Henry, Houston, and Mobile.

Florida: Entire state.

Georgia: Counties of Brooks, Bryan, Camden, Chatham, Colquitt, Cook, Dougherty, Decatur, Glynn, Grady, Lanier, Liberty, Lowndes, McIntosh, Pierce, Thomas, and Ware.

Louisiana: Parishes of Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Calcasieu, Cameron, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafource, Livingston, Orleans, Plaquemines, Pointe Coupee, Rapides, Sabine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Helena, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Vernon, Washington, and West Baton Rouge.

Mississippi: Counties of Adams, Copiah, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Lawrence, Lincoln, Marion. Pearl River, Perry, Pike Stone, Walthall and Wilkinson.

Texas: Entire state with the exception of the counties listed in the Weevil Free Area plus that part of Cherokee County south of a line beginning at the Nacogdoches County line on State Highway 21 and continuing west along Highway 21 to Houston County line, also another portion of Cherokee County within the confines of a line beginning at Rusk County line at Highway 79 and continuing West along said highway to farm-to-market road No. 2274, thence south to the town of Ponta thence on highway 110 southwest to the City of Rusk, continuing from Rusk on farm-to-market road number 343 east to Nacogdoches county line; also, that part of Rusk County within the confines of a line beginning at the Nacogdoches county line on farm-to-market road number 225 thence north to highway 84 and continuing northwest to the township of Glenfawn, thence northwest to Sardis thence West on highway 79 to Cherokee County line.

Texas Weevil Free Area: The counties of Anderson, Andrews, Armstrong, Archer, Brewster, Bailey, Borden, Bosque, Briscoe, Baylor, Brown, Bowie, Culberson, Castro, Cochran, Carson, Crane, Crosby, Concho, Collingsworth, Crockett, Childress, Cottle, Coke, Callahan, Coleman, Comanche, Clay, Cook, Colling, Cherokee (See Cherokee County under regulated area) Cass, Camp, Dallam, Deaf Smith, Dawson, Donley, Dickens, Denton, Dallas, Delta, Duval, El Paso, Ector, Eastland, Erath, Ellis, Floyd, Fisher, Foard, Fannin, Franklin, Freestone, Gaines, Garza, Glasscock, Gray, Grayson, Gregg, Gillespie, Hudspeth, Hockley, Hartley, Hill, Hansford, Hutchinson, Hamilton, Howard, Hale, Hemphill, Hall, Hardeman, Haskell, Hood, Henderson, Hunt, Hopkins, Harrison, Iron, Jack, Johnson, Jeff Davis, Jones, Kaufman, Kimble, Kent, King, Knox, Loving, Lamb, Lubbock, Lynn, Lipscomb, Lamar, Leon, Limestone, Llano, Mills, Mason, Moore, Marion, Martin, McCulloch, McLennan, Menard, Midland, Motley, Mitchell, Montague, Morris, Nolan, Navarro, Oldham, Ochiltree, Potter, Farmer, Palo Pinto, Parker, Panola, Pecos, Presidio, Reeves, Roberts, Reagan, Randall, Robertson, Runnels, Rockwall, Rains, Rusk (See Rusk County under regulated area), Red River, San Saba, Sherman, Schleicher, Shelby, Smith, Sutton, Swisher, Sterling, Stonewall, Scurry, Shackelford, Stephens, Somervell, Terry, Taylor, Throckmorton, Tarrant, Terrell, Titus, Tom Green, Upshur, Upton, Van Zandt, Wood, Ward, Webb, Winkler, Wheeler, Wilbarger, Wichita, Wise, Yoakum, and Young.

South Carolina:

Beaufort County—All of Hilton Head Island lying south and east of a line beginning where Broad Creek enters Calibogue Sound; thence in a northeastern direction along said creek to the point of its junction with South Carolina Highway No. 46 and the Folly Field dirt road, thence in a northeastern direction along Folly Field Road and a straight line extended to Port Royal Sound.

Fripps Island—All of that area comprising Fripps Island.

Harbor Island—All of that area comprising Harbor Island.

Charleston County—East of Cooper River—That area comprising Sullivan's Island and the Isle of Palms.

City of Charleston and Charleston Heights—The City of Charleston proper and all that area lying south between the Ashley and Cooper rivers beginning at a point where South Carolina Highway No. 7 leaves the Ashley River and extending north along Highway No. 7 to its intersection with United States Highway No. 52, thence east along United States Highway No. 52 to Reynolds Avenue, thence along Reynolds Avenue through the main gate of the United States Naval Base to the Cooper River.

West of Ashley River—James Island—All that area lying within the one mile radius of sweet potato weevil infestation on the farm of Ezekial Washington (lessee).

Morris Island—All of that area comprising Morris Island.

Edisto Island—All that area comprising Edisto Beach.

Kiawah Island—All that area comprising Kiawah Island.

RESTRICTED PRODUCTS: The living sweet potato weevil or any stage thereof, sweet potato roots or tubers, plants, vines or parts thereof; vines or roots of all plants belonging to the genus *Ipomoea* or such other plants as may be found to be hosts of the sweet potato weevil.

CONDITIONS GOVERNING THE MOVEMENT OF RESTRICTED PRODUCTS: Restricted products shall not be moved from any regulated area through, into, within or from the State of South Carolina unless accompanied by a valid Sweet Potato Weevil Quarantine Certificate attached to each container issued by a duly authorized inspector upon determination that (1) the material certified is apparently free from infestation of the sweet potato weevil and (2) the material certified has been produced, packed and handled in such a manner and under such conditions as to eliminate any danger of the spread of the sweet potato weevil.

Provided (1) that no certificate shall be issued for the movement of restricted material from the regulated area of South Carolina into any state which prohibits such entry, (2) that no certificate shall be issued for the movement of restricted material from the regulated area of South Carolina into the non-regulated area thereof except when such material has been properly fumigated with methyl bromide and/or when such material is consigned to and receipted by a processing plant for immediate use, (3) that sweet potatoes from the regulated areas of other states shall be admitted into South Carolina only when accompanied by a certificate issued by a duly authorized inspector of the state of origin attached to each container establishing the fact that the sweet potatoes shipped were properly fumigated with methyl bromide, (4) the shipper must notify the South Carolina State Crop Pest Commission at the time of the shipment of the fumigated sweet potatoes, giving consignee, destination, size, and date of shipment.

CONDITIONS GOVERNING THE PRODUCTION, HARVESTING, STORING AND MOVEMENT OF RESTRICTED PRODUCTS AND STORAGE AND FIELD CLEAN-UP OPERATIONS IN THE REGULATED AREA OF SOUTH CAROLINA.

a. Location of Seed Beds and Field Plantings.

No person shall bed or make field plantings of sweet potatoes within the regulated areas of South Carolina as described in this Quarantine.

b. Harvesting, Storing and Movement of Restricted Products and Storage and Field Clean-Up Operations.

Owners and tenants of all properties lying within the regulated areas of South Carolina shall conduct harvesting, storing and movement of restricted products and storage and field clean-up operations at a time and in a manner prescribed by an authorized inspector of the South Carolina State Crop Pest Commission.

Penalties: Any person who shall violate any of these regulations shall be guilty of a misdemeanor and upon conviction shall be punished as provided by Section 3-111, Code of Laws of S. C., 1952.

Reconfirmed May 16, 1961.

White-Fringed Beetle Quarantine

Revised, October 1, 1960

The fact has been determined that a destructive agricultural insect pest known as the White-fringed Beetle has been found in certain areas in the State of South Carolina. In order to prevent the further spread of this insect in South Carolina, the South Carolina State Crop Pest Commission hereby establishes a quarantine setting forth the name of the pest against which the quarantine is established, the regulated areas and the regulated articles, specifying the conditions governing shipments and the issuance of certificates or permits under which the regulated articles may be shipped.

1. **PEST**—White-Fringed Beetle (Genus *Graphognathus*, in any stage of development).

2. **QUARANTINED AREAS**—

a. **Beaufort County:** That area bounded by a line beginning at a point where the Bull River and the Coosaw River join, thence along Bull River to its junction with Wimbee Creek, thence northwest along said creek to its intersection with the Seaboard Airline Railroad, thence southwest along said railroad to its intersection with South Carolina Secondary Highway No. 43, thence northwest along said highway to its junction with South Carolina Secondary Highway No. 238, thence west along said highway to its junction with United States Highway No. 21, thence south along said highway to its intersection with Whale Branch, thence southeast along said branch to its junction with Coosaw River, thence southeast along said river to the point of beginning.

b. **Other Areas:** Any other area in the State of South Carolina found to be infested. Such areas to become immediately subject to the regulations of this quarantine when so declared by the Entomologist of the South Carolina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers, or through direct written notice to those concerned.

3. **REGULATED ARTICLES**—

a. The movement of living White-Fringed Beetles in any stage of development is prohibited, provided that living specimens for scientific purposes may be moved by designated inspectors when authorized by the Entomologist of the South Carolina State Crop Pest Commission under such conditions as he may prescribe.

b. The intra-state movement of the following articles is regulated throughout the year:

- (1) Soil, sand, gravel, clay, compost, manure, peat, or muck, whether moved independently or in connection with or attached to nursery stock, plants, products, articles, or things.
- (2) Nursery stock.
- (3) Grass sod.
- (4) Plant crowns or roots for propagation.
- (5) Uncleaned grass, grain, and legume seed.
- (6) Potatoes (Irish), when freshly harvested.
- (7) True bulbs, corms, tubers, and rizomes of ornamental plants, when freshly harvested or uncured.
- (8) Hay and straw.
- (9) Peanuts in shells and peanut shells.
- (10) Seed cotton and cottonseed.
- (11) Scrap metal, junk and cinders.

4. CONDITIONS GOVERNING MOVEMENT—The movement of regulated articles as herein limited and restricted will be allowed only when accompanied by a valid certificate or permit issued by an inspector of the South Carolina State Crop Pest Commission.

a. Nursery stock, plants, or other articles to which soil is attached, or soil as such, moving from an infested part of the quarantined area to any point within or without that quarantined area, provided that soil moved to immediately adjacent infested lands in connection with construction or local improvement work, may be so moved when authorized and supervised by an inspector of the South Carolina State Crop Pest Commission.

b. All other restricted products from an infested part of the quarantined area when moved to a non-infested part of the same quarantined area.

c. All regulated articles from any part of a quarantined area when moved to any point outside of that quarantined area.

Other than as above stipulated, restricted articles will be defined and regulated only under such conditions and during the period of the year that those articles are regulated by the White-Fringed Beetle Quarantine No. 72 of the U. S. Department of Agriculture and administrative instructions relating thereto.

As a condition of issuing certificates or master permits nursery stock or plants having infested status and soil from infested areas must be given approved treatments to eliminate infestations.

5. CERTIFICATES, PERMITS AND LICENSES—

a. The methods and conditions of certification of articles and products, and issuance of certificates, and permits shall be governed by the regulations of the White-Fringed Beetle Quarantine of the U. S. Department of Agriculture.

b. To be eligible to sell, offer for sale, or display nursery stock or plants, all establishments where such products are grown, kept, or displayed must secure from an inspector of the South Carolina State Crop Pest Commission a Plant Dealer-Grower License requiring: (1) Retail establishments including greenhouses, florist shops, retail stores, and other similar con-

cerns where nursery stock or plants are grown or placed on display whether operated in connection with or independent of a nursery, may not sell, offer for sale, or display any nursery stock or plants which are not eligible for certification without further treatment. Such establishments shall comply with other precautionary measures as may be required by an inspector of the South Carolina State Crop Pest Commission. (2) Nurseries or other concerns growing or propagating nursery stock or plants will not be allowed to move, sell, or offer for sale any such nursery stock or plants except in compliance with the requirements as heretofore stipulated under conditions governing movement of regulated products, and must comply with other precautionary measures as are required by an agent of the South Carolina State Crop Pest Commission.

6. DISINFESTING VEHICLES, MACHINERY, CONTAINERS, AND OTHER ARTICLES—

When in the judgment of the inspector a hazard of spread of White-Fringed Beetles is involved, thorough cleaning, disinfestation, or other sanitary treatments of forest products, building materials, railway cars, trucks, other vehicles, machinery, implements, containers, or other articles will be required by the inspector before they may be moved to points outside the regulated areas.

7. WAIVER OF LIABILITY—The South Carolina State Crop Pest Commission or its inspectors will not be responsible in any way for the death of livestock feeding on plants treated for the control of the White-Fringed Beetle after notice has been given by the South Carolina State Crop Pest Commission or its authorized inspectors that such areas are to be treated. The South Carolina State Crop Pest Commission or its inspectors will not be responsible for any loss to regulated articles treated, fumigated, sterilized, or processed under methods approved by the South Carolina State Crop Pest Commission.

8. PENALTIES—Any person or firm who shall violate the regulations of this quarantine or who seeks to prevent the inspection or control of White-Fringed Beetles which may occur on their property under the direction of the Entomologist of the South Carolina State Crop Pest Commission or its inspectors shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided for by Section 3-111, Code of Laws of S. C., 1952.

Reconfirmed May 16, 1961.

Camellia Flower Blight Quarantine

Revised May 1, 1961

The fact has been determined that a serious plant disease known as Camellia Flower Blight (*Sclerotinia camellia*), is known to occur in parts of the counties of Darlington, Dorchester, Florence, and Sumter and in certain other states.

If this disease becomes established in the camellia gardens and nurseries of the state it will cause serious losses to the camellia industry.

In order to prevent the further spread of this disease into South Carolina, the South Carolina State Crop Pest Commission hereby establishes a

quarantine setting forth the name of the pest against which this quarantine is established, the regulated areas, the prohibited products, and the conditions for movement of the regulated products.

PEST: Camellia Flower Blight (*Sclerontinia camellia*).

QUARANTINED AREAS:

1. INFECTED AREAS:

California—Entire State.

Georgia—

1. **Bibb County**—that portion of the City of Macon included within the city limits located west of the Ocmulgee River; and further that area included within a line beginning at the east bank of the Ocmulgee River at Park View Drive; thence easterly along Park View Drive, Curry Drive, and Boulevard to the intersection of Briarcliff Road; thence north along Briarcliff Road to Twin Pine Drive; thence north along Twin Pine Drive to intersection of Peyton Place; thence west along Peyton Place to Nottingham Drive; and thence west on a projected line from Nottingham Drive to the Ocmulgee River; thence south along the Ocmulgee River to Park View Drive.

2. **Fulton County**—that property known as 3629 Tuxedo Road, located in the northwest section of Atlanta, consisting of eleven acres, bounded on the north by Tuxedo Road, on the east by the property of Hix Green, and on the south by the property of Robert T. Jones.

3. **Richmond County**—that portion of the City of Augusta bounded by a line beginning at the intersection of Wrightsboro Road and Johns Road, and extending northerly along Johns Road to Gardner Street; thence easterly along Gardner Street to Milledge Road; thence northerly on Milledge Road to Telfair Street; thence east on Telfair Street to Tubman Street; thence southerly on Tubman Street to Walton Way; thence east on Walton Way to Russell Street; thence southerly on Russell Street to Central Avenue; thence westerly on Central Avenue to Heard Avenue; thence southerly on Heard Avenue to Wrightsboro Road; thence westerly on Wrightsboro Road to the intersection of Johns Road.

Louisiana—

1. **Bossier Parish**—the corporate limits of the city of Bossier City.

2. **Caddo Parish**—the entire Wards 3, 4 and 7.

3. **East Baton Rouge Parish**—properties of W. H. Gates and Mrs. T. K. McKnight and one mile radius surrounding the focal point of each property.

4. **Jefferson Parish**—that portion of Ward 8 lying east of the Pontchartrain Causeway and north of Ward 7.

5. **Orleans Parish**—the entire parish of Orleans.

6. **St. Tammany Parish**—that portion of Wards 1 and 3 consisting of the entire corporate limits of the town of Covington and a two-mile radius thereof.

7. **Tangiphoa Parish**—that portion of Ward 5 lying north of Louisiana Highway 40-E; east of Louisiana Highways 40-N and 1062; south of Louisiana Highway 1062; west of Louisiana Highways 40-N and 445; that portion of Wards 6 and 7 lying north of Louisiana Highway 1067-E; east

of Louisiana Highways 1067-N and 443; south and west of Louisiana Highway 443 and the Tangiphoa River.

8. Washington Parish—C. L. George's Nursery and one mile radius surrounding thereof.

North Carolina—

1. Brunswick County—(a) that part of Orton Plantation beginning at the main entrance to Orton Plantation on Highway N. C. 130 and extending north along said highway one mile, thence due east to Cape Fear River, thence south along Cape Fear River, thence south along Cape Fear River for two miles, thence due west to highway N. C. 130 and along said highway 130 north to main entrance to Orton Plantation.

(b) Beginning at a point on the west bank of the Cape Fear River east of and in line with the main Residence Building on Pleasant Oak Plantation and extending north along said river one mile; thence along a straight line due west for one mile; then south along a line parallel to and one mile west of said river for two miles; thence due east to said river and along west bank of river north to starting point. This property is located east of N. C. Highway 130, 7 miles south of junction of Highway 130 and 17.

2. New Hanover County—(a) all that property known as Airlie Gardens and Nursery, located on both sides of U. S. Highway 74 and 76 just west of Wrightsville Sound.

(b) That portion of the city of Wilmington bounded on the north by Market Street—on the east by the city limit line; on the south by a line one-half mile south of and parallel to the city limit line; and on the west by South 17th Street.

3. Onslow County—that portion of Onslow County included within the boundaries of Camp Lejeune Marine Base.

4. Wilson County—that area included within a circle having a one-mile radius with the center at the entrance to Tomlinson's Nursery. This property is located 2.2 miles from the Wilson city limits on Highway 264 east.

Oregon—Entire State.

South Carolina—

1. Darlington County—that portion of Darlington County included within the corporate limits of the Town of Darlington.

2. Dorchester County—that portion of Dorchester County included within the corporate limits of the Town of Summerville.

3. Florence County—that portion of Florence County included within the corporate limits of the Town of Timmons ville.

4. Sumter County—that portion of Sumter County included within the corporate limits of the Town of Sumter.

Virginia—Entire State.

2. OTHER AREAS:

Any other properties or areas in the State of South Carolina found to be infected with Camellia Flower Blight shall become immediately subject to the regulations of this quarantine when so declared by the South Carolina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers or through direct written notice to those concerned.

3. RESTRICTED AREAS:

All other states that do not maintain restrictions against the movement of restricted material from designated infected states or areas into their respective states.

PROHIBITED PRODUCTS:

Balled and potted camellia plants—cut camellia flowers.

CONDITIONS OF MOVEMENT OF REGULATED PRODUCTS:

No balled or potted camellia plants with soil attached, cut camellia flowers, or plants with flower buds showing any traces of color, can be moved from the regulated areas into the State of South Carolina. Bare rooted camellia plants with flower buds showing no trace of color will be allowed entry from the regulated areas under proper certificate from the state of origin.

PENALTIES:

Camellia plants or flowers imported into the State of South Carolina in violation of these regulations are subject to destruction or return to the point of origin at the discretion of the South Carolina State Crop Pest Commission.

Any person or firm who shall violate the regulations of the quarantine shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided by Section 3-111, Code of Laws of S. C., 1952.

Confirmed May 16, 1961.

Phony Peach Disease

Revised May 1, 1961

Whereas, the fact has been determined that a serious and highly infectious disease known as Phony Peach Disease exists as hereinafter described.

The South Carolina State Crop Pest Commission hereby establishes a quarantine hereinafter setting forth the name of the disease against which the quarantine is established, the infected areas, the products regulated, specifying conditions governing shipments and issuance of certificates or permits under which said products may be shipped.

Disease: Phony Peach, a virus disease of peach and certain other stone fruits.

REGULATED AREAS:

Alabama: Entire State.

Arkansas: Counties of Arkansas, Ashley, Bradley, Chicot, Columbia, Crittendon, Cross, Desha, Drew, Hempstead, Howard, Jefferson, LaFayette, Lee, Lincoln, Little River, Miller, Monroe, Nevada, Phillips, Pike, Poinsett, St. Francis, Sevier, Union and Woodruff.

Florida: Entire State.

Georgia: Entire State.

Louisiana: Entire State.

Mississippi: Entire State.

Missouri: County of Dunklin.

North Carolina: Counties of Anson, Cumberland, Gaston, Hoke, Polk, and Rutherford.

South Carolina: Counties of Aiken, Allendale, Bamberg, Barnwell, Cherokee, Chesterfield, Edgefield, Greenville, Lancaster, Laurens, Lexington, Marlboro, Orangeburg, Richland, Saluda, Spartanburg, Sumter, and York.

Tennessee: Counties of Chester, Crockett, Dyer, Fayette, Hardeman, Hardin, Lake, Lauderdale, McNairy, Madison, and Weakley.

Texas: Counties of Anderson, Bexar, Brazos, Camp, Cherokee, Freestone, Limestone, McLennan, Milam, Rusk, San Augustine, Smith and Upshur.

Other Areas: Any other area in the State of South Carolina found to be infested. Such areas to become immediately subject to the regulations of this quarantine when so declared by the Entomologist of the South Carolina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers, or through direct written notice to those concerned.

REGULATED PRODUCTS: All peach, plum, apricot, nectarine and almond nursery stock.

CONDITIONS GOVERNING SHIPMENT: Transportation by any means whatsoever of the regulated products from any regulated area either into, or within, or from the State of South Carolina is permitted only when there is securely attached to the outside of each shipment a valid nursery inspection certificate issued by an authorized official of the state of origin and bearing the name and address of the consignor of the regulated articles contained therein.

REQUIREMENTS FOR CERTIFICATION: Certificates or permits shall be issued only on the following conditions: (1) That each nursery in the phony peach infected areas producing the regulated products shall apply to the State Quarantine Officials for approval of the proposed nursery-growing site on or before August 15 of each year; (2) selected nursery sites shall be at least 300 yards from wild or domesticated plum, one-half mile from phony infected commercial orchards, and one-half mile from urban areas; (3) the one-half mile environs of the nursery site shall be inspected prior to October 1, and all phony trees found within such environs removed prior to November 1; (4) all budding shall be restricted to the slip-bud method; and (5) propagation of the regulated products by means of rooted cuttings is prohibited.

REMOVAL OF AREAS FROM REGULATION: When satisfactory evidence has been presented that no phony peach disease has been found for a period of three years in any county or state affected by this quarantine, said county or state shall be removed from these regulations.

SHIPMENT OF REGULATED PRODUCTS FOR SCIENTIFIC PURPOSES: Regulations of this quarantine do not apply to shipments of regulated products to the United States Department of Agriculture or to other recognized institutions for scientific purposes except that a special permit must be secured for the entry into or movement within the State of South Carolina of such products.

Any person who shall violate any of these regulations shall be guilty of a misdemeanor and upon conviction thereof shall be punished by law as provided by Section 3-111, Code of Laws of S. C., 1952.

All rules and regulations made prior to this revision, relative to the Phony Peach Disease are hereby cancelled.

Confirmed May 16, 1961.

Witchweed Quarantine

Revised May 1, 1961

The fact has been determined that a destructive parasitic plant pest known as Witchweed (*Striga* sp.), has been found in certain areas of South Carolina and North Carolina, but is not known to be widely distributed in either state nor to occur in any other state. In order to prevent the further spread of this pest in South Carolina, the South Carolina State Crop Pest Commission hereby establishes a quarantine setting forth the name of the pest against which the quarantine is established, the regulated areas and the regulated articles, specifying the conditions governing shipments and the issuance of certificates or permits under which the regulated articles may be shipped.

1. **PEST:** Witchweed (parasitic plants of the genus *Striga*, and any reproductive parts thereof, including seed).

2. QUARANTINED AREAS:

Chesterfield County. The Elise J. Parker farm located on the south side of State Secondary Highway 61 and 0.1 mile east of its intersection with State Secondary Highway 348.

Darlington County. That area bounded by a line beginning at a point where the Great Pee Dee River and the Darlington-Florence County line join and extending southwest along said county line to its intersection with State Secondary Highway 173, thence northwest along said highway to its junction with State Secondary Highway 228, thence northwest along said highway to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to its intersection with State Secondary Highway 29, thence east along said highway to its intersection with Hurricane Branch, thence northeast along said branch to its junction with Byrds Island, thence along the west and south boundary of Byrds Island to its junction with the Great Pee Dee River, thence south along said river to the point of beginning.

The Jessie K. Jordan farm located on the west side of a dirt road and 0.2 mile northeast of its junction with a second dirt road, said junction being 0.1 mile northeast of junction of said second dirt road and State Secondary Highway 44, said second junction being 0.3 mile northeast of junction of said highway and State Primary Highway 403.

Dillon County. All of Dillon County.

Florence County. The area bounded by a line beginning at a point where U. S. Highway 76 and the Great Pee Dee River intersect and extending south along said river to its junction with Biggam Branch, thence west along said branch to its intersection with State Secondary Highway 88, thence west along said highway to its junction with State Secondary

Highway 132, thence northwest along said highway to its intersection with State Secondary Highway 105, thence south along said highway to its intersection with the corporate limits of the town of Hyman, thence south along the west perimeter of said corporate limits to its intersection with State Primary Highway 51, thence northwest along said highway to its intersection with State Primary Highway 327, thence west along said highway to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to its intersection with Middle Swamp, thence northeast along said swamp to its junction with Jeffries Creek, thence southeast along said creek to its intersection with State Primary Highway 327, thence north along said highway to its junction with State Secondary Highway 89, thence north along said highway to its intersection with U. S. Highway 76, thence west along said highway to its junction with State Secondary Highway 925, thence north along said highway to its junction with State Secondary Highway 24, thence east and southeast along said highway to its intersection with U. S. Highway 76, thence east along said highway to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Highway 794 and State Secondary Highway 72 junction and extending south along State Secondary Highway 72 to its intersection with State Secondary Highway 46, thence northeast along said highway to its intersection with State Secondary Highway 34, thence southeast along said highway to its junction with State Secondary Highway 360, thence northeast along said highway to its junction with a dirt road, said junction being 1.6 miles northeast of junction of State Secondary Highways 34 and 360, thence southeast along said dirt road for a distance of 1.2 miles to its junction with a second dirt road, thence southwest along said dirt road to its junction with State Secondary Highway 34, thence south along said highway to its junction with U. S. Highway 378, thence west along said highway to its junction with State Secondary Highway 47, thence northwest and west along said highway to the corporate limits of the town of Scranton, thence north and west along the east and north perimeter of said corporate limits to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to the corporate limits of the town of Coward, thence north along the east perimeter of the town of Coward to its intersection with State Secondary Highway 794, thence northeast along said highway to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Highway 66 and State Primary Highway 51 intersect and extending southeast along State Primary Highway 51 to its intersection with Little Swamp, thence northeast along said swamp for a distance of 1.2 miles to its intersection with a dirt road, thence southeast along said dirt road to its intersection with Deep Creek, thence southwest along said creek to its junction with Lynches River, thence west along said river to its intersection with State Secondary Highway 49, thence north along said highway to its junction with State Secondary Highway 66, thence north and northeast along said highway to the point of beginning, excluding all of the corporate limits of the town of Salem.

The A. A. Alford farm located on both sides of State Secondary Highway 164 and 0.1 mile south of its intersection with Cypress Branch.

The Hattie Carroway farm located on the south side of State Secondary Highway 72 and 1 mile southwest of its intersection with U. S. Highway 52.

The S. L. Yarborough farm located on both sides of State Secondary Highway 95 and 1.7 miles southeast of Sardis.

Horry County. That area bounded by a line beginning at a point where U. S. Highway 701 crosses the South Carolina-North Carolina State line and extending south along said highway to its intersection with State Primary Highway 9, thence east and southeast along said highway to its junction with State Primary Highway 905, thence west along said highway to its junction with State Secondary Highway 31, thence south along said highway to its intersection with the Waccamaw River, thence westward along said river to its intersection with U. S. Highway 501, thence northwest along said highway to its intersection with the Little Pee Dee River, thence northeast along said river to its junction with the Lumber River, thence northeast along said river to its intersection with the South Carolina-North Carolina State line, thence southeast along said state line to the point of beginning, excluding the corporate limits of the towns of Aynor, Conway, and Loris.

The Canal Wood Corporation farm located on the west side of a dirt road and 0.75 mile south of its junction with State Primary Highway 90, said junction being 1.25 miles west of the junction of said highway and State Secondary Highway 57.

The Ben Edge farm located on the south side of State Primary Highway 90 and at the junction of said highway and State Secondary Highway 31.

The Bud Neals Graham farm located at the end of a dirt road and 0.6 mile east of junction with a second dirt road, said junction being 0.75 mile south of junction of second dirt road and State Secondary Highway 78, said second junction being 0.75 mile southeast of Juniper Bay Church.

The Alex Alford farm located on the south side of a dirt road and being 2 miles southwest and west of junction of said dirt road and State Secondary Highway 99, said junction being 1.75 miles north of junction of said highway and State Secondary Highway 97.

The Rosetta Inman farm located on the northwest side of a junction of two dirt roads, said junction being 1.4 miles northwest of intersection of dirt road running northwest from State Secondary Highway 57 at Brooksville.

The John A. Atkinson farm located on the east side of a dirt road and being 1 mile north of junction of said dirt road with U. S. Highway 378 and State Secondary Highway 63.

Marion County. That area bounded by a line beginning at a point where the Marion-Dillon County line and the Lumber River join and extending southwest along said river to its junction with Little Pee Dee River, thence southwest along said river to its junction with Reedy Creek, thence northwest along said creek to its intersection with State Primary Highway 41, thence northeast along said highway to its junction with

State Secondary Highway 33, thence west along said highway to its intersection with State Primary Highway 41A, thence north along said highway to its junction with State Secondary Highway 389, thence north along said highway to its junction with U. S. Highway 501, thence northwest along said highway to its intersection with U. S. Highway 76, thence west along said highway to its junction with State Secondary Highway 64, thence due southwest along a line projected from said intersection to the Marion-Florence County line, thence northwest and north along said county line to its junction with Marion-Dillon County line, thence north and northeast and southeast along said county line to the point of beginning, excluding all the corporate limits of the towns of Marion, Mullins, Nichols, and Sellers, except the W. P. Clark farm located on Marion Street in the town of Mullins one block south of the Mullins Armory, and the Harry Sellers farm located on the west side of U. S. Highway 301 in the Town of Sellers.

That area bounded by a line beginning at a point where State Secondary Highway 9 and State Secondary Highway 40 junction and extending southeast along State Secondary Highway 40 to its junction with State Secondary Highway 47, thence southwest along said highway to its junction with State Secondary Highway 9, thence south along said highway to its junction with U. S. Highway 378, thence southwest along said highway to its intersection with the Great Pee Dee River, thence northwest along said river to its junction with Catfish Creek, thence north along said creek to its junction with Collins Creek, thence east and southeast along said creek to its junction with State Secondary Highway 9, thence southwest along said highway to the point of beginning.

That area bounded by a line beginning at a point where U. S. Highway 378 and State Secondary Highway 86 junction and extending north along State Secondary Highway 86 for 0.4 mile to its intersection with a stream, thence east along said stream to its junction with the Little Pee Dee River, thence south along said river to its junction with the Sampson Landing Road, thence west along said road to its junction with State Secondary Highway 49, thence northwest along said highway to its junction with U. S. Highway 378, thence southeast along said highway to the point of beginning.

The William Davis farm located on the northeast side of a dirt road and 1.5 miles southeast of its junction with State Secondary Highway 9, said junction being 1.5 miles northeast of the junction of said highway and State Secondary Highway 40.

The Paul Richardson farm located on the southeast side of State Secondary Highway 207 and 1.35 miles southwest of its junction with State Primary Highway 908.

The Paul J. Richardson farm (The Paul J. Richardson Estate) located on the northwest side of the State Secondary Highway 207 and 1.5 miles southwest of its junction with State Primary Highway 908.

Marlboro County. That portion of the county lying south and east of U. S. Highway 15, excluding the corporate limits of the towns of Bennettsville, McColl, and Tatum.

The Marvin Strong farm located on the south side of the South Carolina-North Carolina State line and 1.3 miles east of its junction with State Primary Highway 77.

The Cleveland McKay farm located on the north side of State Secondary Highway 54 and the west side of State Secondary Highway 30 at the intersection of said highways.

The Tony Rosser farm located on the east side of a dirt road and 0.6 mile northeast of junction of said dirt road and State Secondary Highway 30, said junction being 0.3 mile north of said highway and State Secondary Highway 54.

The Pauline Steel farm located on the north side of State Secondary Highway 63 and the east side of Crooked Creek at the intersection of said highway and Creek.

Williamsburg County. The S. Wayne Gamble farm located on both sides of State Primary Highway 375 and 2 miles southeast of its intersection with U. S. Highway 52.

Other Areas—Any other area in the State of South Carolina found to be infested. Such areas to become immediately subject to the regulations of this quarantine when so declared by the South Carolina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers, or through direct written notice to those concerned.

3. WITCHWEED: CONDITIONS OF MOVEMENT. Witchweeds may be moved from the State of South Carolina only if such movement is made for scientific purposes and when in accordance with regulations outlined in the regulations of the Witchweed Quarantine of the United States Department of Agriculture.

4. REGULATED ARTICLES—CONDITIONS OF MOVEMENT.

(a) **Designated articles**—Unless exempted by administrative instructions the following may be moved from any regulated area into or through any point outside of the regulated areas only if accompanied by a valid certificate or limited permit issued in compliance with the Witchweed Quarantine of the United States Department of Agriculture and its applicable requirements; soil, separately or with other things; nursery stock and other plants with roots attached; true bulbs, corms, rhizomes and tubers, root crops; hay, straw, fodder and plant litter of any kind; seed cotton; tobacco, peanuts in shells; ear corn; soybeans; small grains; used farm tools, implements and harvesting machines; used construction and maintenance equipment; and used crates, boxes, burlap bags, and cotton picking sacks, and other used farm products containers. However, regulated articles of kinds within this paragraph which originate outside of the regulated areas and are moving through or are being reshipped from a regulated area may be moved from such regulated area into or through any point outside of the regulated areas without further restriction under this subpart when their point of origin is clearly indicated, when their identity has been maintained, and when they have been safeguarded against infestations while in the regulated areas in a manner satisfactory to an inspector and do not present a hazard of spread of witchweed.

Otherwise such regulated articles shall be subject to all applicable requirements for articles originating in the regulated areas.

(b) **Articles determined to present hazards.** When it has been determined by an inspector that, due to contamination with witchweed, a hazard of spread of witchweed is presented by any farm products, farm equipment, processing machinery, trucks, wagons, railway cars, aircrafts, boats, other means of conveyance, or unlimited by the foregoing, any other products or articles of any character whatsoever, not covered in paragraph (a), notice of such fact shall be given to the person having custody thereof. Thereafter, except as exempted in administrative instructions, such contaminated articles may be moved from any regulated area into or through any point outside of the regulated area only if accompanied by a valid certificate or limited permit issued in compliance with the Witchweed Quarantine of the United States Department of Agriculture.

5. CERTIFICATES, PERMIT, ETC.

(a) The methods and conditions of certification of articles and products, and issuance of certificates, and permits shall be governed by the regulations of the Witchweed Quarantine of the United States Department of Agriculture.

(b) Certificates may be issued by the inspector for the movement of the regulated articles under any of the following conditions.

(1) When in the judgment of the inspectors, they have not been exposed to infestation.

(2) When they have been examined by the inspector and found to be free of infestation.

(3) When they have been treated to destroy witchweed under the observation of the inspector and in accordance with methods selected by him administratively authorized procedures known to be effective under the conditions in which applied.

(4) When grown, produced, manufactured, stored or handled in such manner that, in the judgment of the inspector, no infestation would be transmitted thereby.

(5) **Limited permits.** Limited permits may be issued by the inspector for the movement of non-certified regulated articles to specified destinations for limited handling, utilization or processing, or for treatment.

(6) **Dealer-carrier agreement.** As a condition of issuance of certificates or limited permits for the movement of regulated articles, any person engaged in purchasing, assembling, exchanging, handling, processing, utilizing, treating, or moving such articles may be required to sign a dealer-carrier agreement stipulating that he will maintain such safeguards against the establishment and spread of infestation and comply with such conditions as to the maintenance of identity, handling, and subsequent movement of such articles and the cleaning and treatment of means of conveyance and containers used in the transportation of such articles as may be required by the inspector.

6. EXEMPTION OF CERTAIN ARTICLES FROM SPECIFIED REGULATIONS.

(a) It has been found that facts exist as to the pest risk involved in the movement of the following regulated articles under the regulations

which make it safe to make less stringent the requirements of the regulations with respect to the movement of such articles from any regulated area, as hereinafter provided. The following articles are hereby exempted from the requirements under the conditions set forth herein-after:

(1) Root crops, such as turnips, carrots, and sweet potatoes, when moving to a designated processing plant, or when washed free of soil and thereafter protected from infestation to the satisfaction of the inspector.

(2) Seed cotton when moving to a designated gin.

(3) Tobacco when moving to a designated warehouse or storage facility.

(4) Soybeans if the beans and any containers for the beans did not come in contact with the soil during harvesting and if the beans are moving forthwith to a designated oil mill or storage facility for crushing or uses other than planting.

(5) Small grains if the grain and any containers for the grain did not come in contact with the soil during harvesting and if the grain is moving forthwith to a designated storage facility for uses other than planting.

(6) Ear corn when harvested from stalk and placed, without coming in contact with the soil, in a wagon or truck for direct transportation to storage or other handling facility.

(7) Used farm tools and implements when washed, steam cleaned or air cleaned, and thereafter protected from infestation to the satisfaction of the inspector. (This exemption does not apply to mechanical cotton or corn pickers, combines, or hay balers or to cotton picking sacks.)

(b) Information as to designated processing plants, oil mills, warehouses, storage and handling facilities, and gins may be obtained from the inspector.

7. WAIVER OF LIABILITY.

The South Carolina State Crop Pest Commission or its inspectors will not be responsible in any way for the death of livestock feeding on plants treated for the control of witchweed after notice has been given by the South Carolina State Crop Pest Commission or its authorized inspectors that such areas are to be treated. The South Carolina State Crop Pest Commission or its inspectors will not be responsible for any loss to regulated articles treated, fumigated, sterilized, or processed under methods approved by the South Carolina State Crop Pest Commission.

8. PENALTIES:

Any person or firm who shall violate the regulations of this quarantine or who seeks to prevent the inspection or control of witchweed which may occur on their property under the direction of the South Carolina State Crop Pest Commission or its inspectors shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided for by Section 3-111, Code of Laws of S. C., 1952.

Confirmed May 16, 1961.

Bee Regulations

Promulgated under authority of Section 3-182, Code of Laws of S. C., 1952

Regulations Governing the Transportation into and within the State of Honey Bees, Beekeeper's Supplies and Equipment and Honey.

Whereas several species of dangerous brood diseases occur in many states of this country and in foreign countries, and whereas these diseases occur in our neighboring states, and as these diseases are not widely distributed in South Carolina, in order to offer as adequate protection as possible to the rapidly developing beekeeping industry of South Carolina, the following regulations are promulgated and shall be in full force and effect on and after April 15, 1922.

Regulation B-1. All honey bees shipped or moved into the State of South Carolina shall be accompanied by a certificate of inspection signed by the State Entomologist, state apiary inspector or other qualified official of the state or country from which such bees are shipped or moved. Said certificate shall certify to the apparent freedom of the bees, their combs and hives, from contagious and infectious diseases, and must be based upon the actual inspection of the bees and the equipment within a period of 60 days preceding shipment; provided that when honey bees are shipped into this state from other states or countries wherein no official apiary inspector, state entomologist or other qualified official is available, the South Carolina State Crop Pest Commission through its executive officers may issue permit for such shipment upon presentation of suitable evidence, showing such bees to be free from disease.

Regulation B-2. The shipment or movement into this state from other states and countries of used or second-hand bee hives, honey combs, frames and other beekeeping fixtures, is hereby prohibited, except when such shipments are accompanied by a certificate of the state entomologist, state apiary inspector or other qualified official of the state or country from which said equipment is shipped or moved, certifying that the apiary or place at which such shipment originated, was inspected and that no evidence of contagious or infectious diseases was found; provided that in the absence of facilities for such inspection, the South Carolina State Crop Pest Commission may issue permits for the shipments into this state of such second-hand equipment upon the presentation of satisfactory evidence, showing that the material is not likely to convey any contagious or infectious diseases of honey bees or that such material was properly disinfected.

Regulation B-3. A quarantine is hereby placed by the South Carolina State Crop Pest Commission on all apiaries, bee yards and colonies of bees within this state where any American foul brood, European foul brood or other contagious or infectious disease of honey bees is known to exist, and hereafter such quarantine shall become effective upon all apiaries, bee yards or colonies of bees where any American foul brood, European foul brood or other contagious or infectious disease is discovered. The removal of any and all colonies of bees, queen bees, nuclei and combs from such diseased and quarantined apiaries, is hereby prohibited until such time as the State Crop Pest Commission shall have

determined and declared that disease is apparently eradicated from said apiaries; provided that the South Carolina State Crop Pest Commission may issue permits before such declaration for the movement of bees or apiaries which have shown infection when in the judgment of said Commission such movements will decrease the danger of other apiaries becoming infected or in other ways result in increased protection of beekeeping interests of the state. The movement of bee hives, frames, supers, extractors and other mechanical equipment from apiaries under quarantine as aforesaid is hereby prohibited, except when such equipment is first disinfected in a manner prescribed and approved by the South Carolina State Crop Pest Commission.

Regulation B-4. The exposure by any person of hives, combs or honey from colonies or apiaries which are or have been infected with American or European foul brood or other contagious or infectious diseases in such a manner as to expose other bees to the danger of infection is hereby prohibited.

Regulation B-5. The sale, bartering or shipment of queen bees and their attendant bees within this state is hereby prohibited, except when accompanied by a copy of a certificate of the current year from a duly authorized inspector of the South Carolina State Crop Pest Commission, to the effect that the apiary from which such queen bees are shipped is apparently free from disease and that the honey used in making the candy employed in the mailing cages, has been diluted and properly boiled in tightly closed vessels.

Regulation B-6. The shipment, transportation or movement of honey from the premises of an apiary which is infected with American foul brood or which is under quarantine on account of this disease having been found therein, except when such honey is contained in new tin honey cans, free from leaks and free from all traces of honey on the outside and securely crated, is hereby forbidden. All such shipments must be accompanied by a certificate stating that the honey originated in an apiary infected with American foul brood, and that it cannot be sold or used for feeding bees within the State of South Carolina.

The gift, sale or offering for sale within the State of South Carolina of honey products in any apiary which is infected with American foul brood or which is under quarantine by the South Carolina State Crop Pest Commission on account of the disease having been found therein is hereby prohibited.

Regulation B-7. Every apiary, bee yard, or colony of bees situated in the State of South Carolina, which has been or shall become infected with either of the diseases known as the American foul brood or European foul brood, is hereby declared to be the center of an infected and dangerous zone, which zone shall extend for three miles in every direction from said center and within this zone all honey bees are declared to be exposed to the danger of infection and likely to harbor and disseminate such infection. The movement of honey bees into such zone and the movement of honey bees and used equipment within such zone and the removal therefrom of honey bees or used beekeeping equipment, is pro-

hibited unless such bees or equipment bears the certificate of a duly qualified agent of the State Crop Pest Commission, certifying to the apparent freedom from disease. The keeping within such zones of honey bees in box or other forms of hives not permitting of the ready removal of all frames and combs therefrom for inspection is hereby prohibited.

Regulation B-8. All persons, firms or corporations desiring to have their bee yards, bees and beekeeping equipment inspected for permit to transport bees, hives, honey, comb or used bee fixtures and equipment, shall make application before April 1 of each year.

Reconfirmed May 16, 1961.

Pesticide Fertilizer Regulation

Promulgated under authority of Act No. 541 of 1954

By virtue of the power vested in the Crop Pest Commission by the laws of the State of South Carolina relating to economic poisons, the ruling issued March 16, 1950, is rescinded and the following rule and regulation is hereby promulgated and issued.

That fertilizer manufacturers incorporating economic poisons in commercial fertilizer be required to attach a colored tag, minimum size 2 x 4 inches, to each and every package. The following information shall be shown on the colored tag:

1. The statement: Economic poison added.
2. Ingredient statement or guaranteed analysis of the economic poison formulation added.
3. The statement: This commercial fertilizer contains (.....)
number
pounds of technical (.....)
accepted common name of economic poison
per 100 pounds.
4. Directions for use.
5. Warning or caution statement.
6. Name and address of fertilizer manufacturer.

Registration

A copy of the tag must be filed with the South Carolina State Crop Pest Commission, Clemson, South Carolina.

Effective Date

All fertilizer manufacturers will comply with this ruling on or before July 1, 1955.

Reconfirmed May 16, 1961.

DEPARTMENT OF CORRECTIONS

Promulgated under authority of Act No. 808 of 1960

(Filed in the office of the Secretary of State August 17, 1961)

Contraband Articles

Under the authority of Act 808 of 1960 the Department of Corrections publishes the following list of articles which are hereby designated as contraband at the State Penitentiary.

- a. Any item which was not issued to the prisoner officially or which cannot be purchased by him or her in the prison canteen.
- b. Weapons, any and all firearms, knives of any and all descriptions, clubs, billies or any other article that may be used for offense or defense.
- c. Drugs of any description and particularly barbiturates, narcotics, medicines and poison.
- d. Any and all types of alcoholic drinks and any liquid containing alcohol.
- e. Keys and locks.
- f. Tools of any description not approved for issue to prisoners by the Director.
- g. Money in any denomination or amount not submitted through the prison Treasurer.

Notice is hereby served on all prisoners and their visitors and any other person that the provisions of Section 17 of this Act will be enforced; and all such persons are urged to observe the law and refrain from violating this section in particular.

DAIRY COMMISSION

Promulgated under authority of Act No. 319 of 1961

(Filed in the office of the Secretary of State October 31, 1961)

REGULATION NO. 1

Definitions

A. The definitions of the words and terms defined in Section 1 of Act 319 of 1961 shall also apply whenever such words and terms are used in these rules and regulations, and in addition thereto the words and terms enumerated herein shall be defined as indicated below unless clearly stated or the context of the subject matter clearly indicates otherwise.

1. "Act"—Act 319 of the 1961 Acts and Joint Resolutions of South Carolina.
2. "Delivery Period"—A calendar month or a fiscal month containing not less than four nor more than five calendar weeks.
3. "Base"—The quantity or quota established by each producer during a designated period, on an equitable basis with all other producers, for apportioning the sale and usage of milk among producers within a given plant.
4. "New Producer"—A person who has not been engaged directly or indirectly in the production of Grade A milk for sale on the South Carolina market for a period of not less than one year prior to entry or re-entry on the market.
5. "Milk Equivalent"—The amount of milk determined by dividing the pounds of butterfat contained in a specified product or products by the average butterfat test of all bulk milk received by a given plant.

REGULATION NO. 2**Classification of Milk, Computation of Milk in Each Class and Method of Settlement**

A. **Classes of Milk**—On or before the fourth day after the end of each delivery period all milk received at each plant from producers shall be classified as follows:

1. Class I shall include all sales of processed fluid milk and fluid milk products containing one percent (1%) or more of milk fat (excluding sour cream) and bulk milk sold or transferred to any plant located within the State which has been certified to the Commission to be for use in a federal military contract, except that portion of such products which may be approved by the Commission to be classified in Class II pursuant to paragraph B, sub-paragraph 3. Fluid cream, milk-cream mixtures and concentrated milk in excess of six percent (6%) butterfat shall be included in Class I on a milk equivalent basis.
2. Class II shall include all sales of processed fluid milk products containing less than one percent (1%) of milk fat which has not been accounted for in the milk equivalent of Class I cream and milk-cream mixtures, and that portion of any product(s) designated as Class I utilization which may be approved by the Commission, to be transferred to Class II pursuant to paragraph B, sub-paragraph 3.
3. Class III shall include all milk received and not specifically accounted for in Class I and Class II, except that plant loss in excess of two and one-half percent ($2\frac{1}{2}\%$) of the total milk and fluid milk products received shall be Class I.
4. The product pounds of all fluid milk and fluid milk products in each Class shall be computed by multiplying the total quarts of such products by the weight factors set forth below:

Product	Weight Per Quart	Product	Weight Per Quart
Milk	2.15	Cream (10 - 17%)	2.13
Creamed Buttermilk	2.15	Cream (18 - 21%)	2.11
Skim (Above 1% B. F.)	2.15	Cream (22 - 28%)	2.10
Flavored Milk or Drink (Net) ..	2.00	Cream (29 - 32%)	2.09
Skim (Plain)	2.16	Cream (33 - 39%)	2.08
Buttermilk (Plain)	2.16	Cream (40 - 42%)	2.06

B. **Basis for Classification**—Any milk, the use of which cannot be established by the end of the fourth day following the last day of a delivery period shall be classified in accordance with the form in which it is held at such time.

1. Milk disposed of in bulk to other distributors shall be classified as Class III by the shipping distributor except as provided in sub-paragraph 2. The receiving distributor shall return to the shipping distributor not less than the price on file with the Commission for the Class or Classes in which the transferred bulk milk was finally utilized by the receiving distributor, as determined by the monthly audits of the Commission. The shipping distributor shall return to his producers the

price received for any bulk milk sold or transferred to another distributor in this classification less reasonable handling and transportation charges if any are incurred.

2. Bulk milk sold or transferred by a distributor located within South Carolina to another distributor within the State for sale to the United States Government and for delivery to a federal military installation under a bona fide written contract may be prorated by the shipping distributor between Class I and Class II pursuant to sub-paragraph 3; provided, that on or before the tenth day after the end of the settlement period involved, certificates are received by the Commission from the shipping distributor certifying that such bulk milk was sold or transferred for use in military contracts, and from the receiving distributor certifying that such bulk milk was used for military contracts.
3. Processed milk containing one percent (1%) or more of butterfat sold to the United States Government and delivered to federal military installations under a bona fide written contract, and bulk milk sold or transferred by a distributor located in South Carolina to another distributor within the State, certified for use in a contract as referred to above, may be transferred from Class I to Class II during such delivery periods and in the proportion as may be approved by the Commission. The proportion of the products herein referred to, which may be approved for transfer from Class I to Class II, is subject to change by the Commission, however, the proration approved on the first day of delivery under any contract shall prevail until the expiration date of such contract.

C. Computation of Milk in Each Class—For each delivery period the classification of milk at each plant shall be computed in the following manner:

1. Determine the tentative Class I utilization by:
 - a. Computing the volume of processed fluid milk sold at the average butterfat test of all milk received at a plant from producers and in bulk from other sources or at the specific test of each product sold when such records are maintained.
 - b. Add the volume of all sales of flavored milk or drink, creamed buttermilk and any other fluid milk products containing one percent (1%) or more, but less than six percent (6%), of butterfat at the specific test of such products.
 - c. Add the milk equivalent of all sales of fluid milk products containing six percent (6%) or more of butterfat. (The weighted average test of all bulk milk received from producers and distributors during the delivery period shall be used in converting cream and milk-cream mixtures containing six percent (6%) or more of butterfat to a milk equivalent basis. In the absence of a weighted average butterfat test, distributors shall convert such cream and milk-cream mixtures on the basis of a four percent (4%) milk equivalent.)
2. Determine the tentative Class II utilization by:
 - a. Computing the difference between the volume of fluid milk products containing butterfat in excess of six percent (6%) from its milk

equivalent included in Class I and entering such amount in Class II as a preliminary credit.

- b. Compute the volume of all sales of fluid milk products containing less than one percent (1%) butterfat not accounted for in the milk equivalent of Class I cream and milk-cream mixtures and apply the butterfat tests applicable to such products.
3. Determine the tentative Class III utilization by:
 - a. Computing the volume of all milk and milk products not specifically classified in Classes I and II at the applicable tests.
4. Transfer from Class I to Class II, at the rate approved by the Commission, that portion of fluid milk containing one percent (1%) or more of butterfat sold to federal military installations and bulk transfers between plants certified to the Commission for use in such contracts.
5. Add the closing inventories to and subtract the opening inventories from the appropriate classes as determined in the preceding paragraphs.
6. Determine the amount of plant losses by subtracting the total milk and milk products accounted for in each Class from the total milk and milk products received.
 - a. Add to the Class III utilization the amount of plant loss which is not in excess of two and one-half percent ($2\frac{1}{2}\%$) of the total milk and milk products received.
 - b. Add to the Class I utilization the amount of plant loss which is in excess of two and one-half percent ($2\frac{1}{2}\%$) of the total milk and milk products received.

D. Classification of Milk Received from Producers—The net classification of milk received from producers at each plant shall be determined in the order and manner set forth below and the total milk in each class shall be allocated to producers in accordance with the example set forth in Table I of this Regulation.

1. The butterfat and milk equivalent of powdered and condensed products which are reconstituted shall be deducted from the gross Class III utilization.
2. The butterfat and product pounds of any processed milk and milk products received from another distributor shall be deducted from the remaining Class III utilization.
3. The butterfat and product pounds of bulk milk received from a distributor located within South Carolina, which has been certified to the Commission for use in military contracts, shall be deducted from Class II and Class I in the proportions approved by the Commission. Any amount in excess of the available Class II shall be deducted from any remaining Class III.
4. The butterfat and product pounds of bulk milk received, other than that received and certified for use in military contracts, shall be deducted from any remaining Class III utilization.
5. In the event that any or all of the above items are greater than the amount remaining in Class III, they shall be deducted first from any remaining Class II and finally from Class I.

6. For the purpose of classification, milk from a distributor's own herd will be considered to be producer milk.

E. Payment to Producers—Each licensed milk distributor located within South Carolina shall make full payment to producers on or before the fifteenth (15th) day following the end of each delivery period for all milk received, at not less than the Class price(s) as negotiated with producers and filed with the Commission.

1. Each distributor shall establish and file with the Commission, on forms provided by the Commission, the price to be paid to producers for each class of milk established by the Commission, together with the premium to be paid for special milk, as agreed upon between the distributor and producers of such milk. In the event of any decrease in the price so established, the distributor shall notify the Commission and each of his producers in writing not less than thirty (30) days prior to the effective date of such decrease.
2. The premium to be paid for special milk sales during any delivery period shall be applied uniformly to all Class I credit allocated to producers of special milk as determined by the following formula:

Divide the total pounds of special milk sold by the total Class I credit allocated to special milk producers. Multiply the result obtained by the premium rate per cwt. and add the result to the Class I price payable to special milk producers.

3. The Class III price to be paid producers shall be a weighted average blend price of bulk milk sold or transferred, and included in Class III, at the net price received for such milk, and any other milk included in Class III at the price filed with the Commission for Class III milk. When the total bulk milk sold or transferred and included in Class III exceeds the net amount allocated to producers in Class III, the weighted average blend price shall be computed from the highest net priced quantity or quantities used or transferred.
4. Each distributor shall, whenever making payment for milk purchased from producers during any delivery period, furnish each producer with a statement of purchases and payment which contains the information as follows:
 - a. Name of the distributor
 - b. The delivery period covered
 - c. Producer's base for the period
 - d. Butterfat test of producer's milk
 - e. Pounds of milk in each class
 - f. Price per cwt. paid for each class
 - g. Gross amount due by class and in total
 - h. Each deduction made by distributor
 - i. Net amount paid.
5. Whenever an audit by the Commission discloses a distributor has not made full payments to producers during any delivery period in accordance with the Regulations of the Commission, the distributor shall upon written notice from the Commission make the necessary adjustments to correct any underpayment to producers in such manner and within such time as may be specified by the Commission.

REGULATION NO. 3**Producers' Bases**

A. Production Incentive Plan—A base-utilization plan shall be established in each Grade A milk plant in South Carolina which receives milk regularly from producers. The current base of each producer shall be used to allocate in an equitable manner the total sales and utilization of all milk received from producers into the various established Classes of milk for the purpose of making proper payment to producers.

B. Establishment of Milk Bases—The base forming period shall be from September 1 of each year through January 31 next succeeding. (A base forming period from September 1 each year through December 31 next succeeding may be used in plants when such period is mutually agreeable to the producers and distributors concerned, provided written notice to that effect is forwarded to the Commission by the distributors prior to September 1 each year.) The base of each producer shall be established during the base forming period beginning September 1, 1961 and each period thereafter in accordance with the rules set forth below.

1. The base of each producer to be established for the base forming period beginning September 1, 1961 shall be a simple average of the bases established during the base forming periods beginning September 1, 1959 and September 1, 1960 which were earned or acquired (including the base established by a herd during such periods and acquired subsequent thereto), together with the producer's average monthly production during the base forming period beginning September 1, 1961.
2. During any base forming period beginning after January 31, 1962, the base of each producer shall be determined by multiplying the monthly average of the Class I and Class II sales allocated to each producer during the base forming period by one hundred and five percent (105%) or such producer's total production whichever is less, except as herein provided in paragraph 5.
3. Any base holding producer of record on September 1, 1961, whose base established during the base forming period beginning September 1, 1961 or September 1, 1962 in accordance with sub-paragraph 1 or 2 above respectively and which is less than 20,000 pounds, shall be entitled to a base equal to his average monthly production during such periods but not to exceed 20,000 pounds.
4. The base of a new producer, coming on the market without an established base, shall be determined by dividing the total Grade A milk delivered by such producer during the first base forming period occurring after the entry of such producer on the market by the number of months in the base forming period; provided, however, a new producer shall not be entitled to establish an average monthly base in excess of 20,000 pounds.
5. A producer with an established base, who suffers a loss in production during a base forming period shall not have his current established base reduced as a result of such loss by more than ten percent (10%) until he has had an opportunity to rebuild his production during the next succeeding base forming period.

C. Rules Governing Base

1. On or before the 25th day of the month following the end of the base forming period each year, each distributor shall file with the Dairy Commission a complete record of the name, address and base established by each producer. Also, each distributor shall notify each producer of the base earned.
2. Each base shall be established only in the name(s) of the individual(s) or in the corporate name of the owner(s) of the herd with which the base is earned, and each plant shall report all deliveries and maintain all records relating to each producer's settlement in the name(s) in which the base is established.
3. Only one base shall be established for the owner(s) of a single production unit.
4. A base computed in accordance with the provisions of paragraph B and owned by a producer who changes markets may be transferred from one distributor to another distributor; provided the new distributor, on or before the last day of the delivery period in which the change occurs, submits a written request to the Commission that the transfer be made; and provided the Commission verifies in writing to the new distributor the amount of base to be transferred.
5. A producer who changes markets during the base forming period shall have his base computed from his total base credits established at all plants to which he has delivered milk during the base forming period.
6. A distributor shall not discontinue receiving a producer's milk without just cause or a written 30 days prior notice. A producer shall not transfer from one distributor to another without giving his distributor a written 30 days prior notice of his intentions to change markets; provided the distributor is current in all payments to such producer for milk delivered. A copy of the prior notices herein required shall be sent to the Dairy Commission. The prior notices may be waived where there is mutual agreement between the parties concerned to cease business relationship.
7. Ownership of an established base may be transferred; provided, the person(s) acquiring the base submit a request for a transfer to the Commission and executes a form furnished by the Commission to effect the transfer, but only under the following conditions:
 - a. Where the entire herd of milking age cattle is sold to no more than two individual parties in a bona fide sale and the new owner(s) continue to deliver milk to a distributor;
 - b. In the event of death or entry into military service of a producer, the base may be transferred to the member(s) of a producer's immediate family who carries on the dairy operations;
 - c. When a base is held jointly and such joint holding is terminated, the base may be transferred to one or more of the joint holders in an equitable manner; provided however;
 - d. A base established by a new producer shall not be transferrable under the condition set forth in (a) above until at least one year has elapsed after such producer's initial base was established.

REGULATION NO. 4**Filing of Wholesale, Retail, and Producer Prices**

A. As a prerequisite to obtaining a license during any calendar year, each distributor shall file with the Dairy Commission, on forms prepared by the Commission, a schedule or schedules of wholesale and retail prices for each market served directly by such distributor or indirectly through a sub-distributor, sales branch, or other person over whom such distributor has actual or legal control. All schedules of prices shall include each item of the products covered by the Act and offered for sale by the distributor, and shall specify the size and type of container.

B. Each distributor shall be responsible for filing and changing the schedule of prices as provided for in paragraph A, which are applicable to any market or market served indirectly through a sub-distributor, sales branch or subsidiary principally supplied with processed products by such distributor.

C. The posted wholesale and retail prices for each market shall be charged uniformly for all deliveries within the market with the following exceptions:

1. Special wholesale prices established and filed with the Commission may be made available to: (1) private, public or parochial schools and State or Church supported colleges or universities which provide non-profit lunch room facilities for students; (2) non-profit hospitals, charitable institutions and similar agencies entirely supported by the federal, state, county, or municipal government; **Provided**; the special prices so established are made available to all such customers which are expressly excepted. Special wholesale prices established in accordance herewith shall not apply to products purchased by or for independently operated dairy bars, soda shops, student centers, etc., or food service facilities operated by any person other than the excepted customers enumerated above.
2. The prices filed for any market shall not be deemed to apply to products sold to the United States Government under contract and delivered to federal military installations; provided, however, each distributor entering into a contract with the United States Government to supply such installations shall notify the Commission in writing prior to the first day of delivery under such contracts, the products to be supplied, the unit prices made available and the beginning and terminating dates of the contract.

D. Each distributor shall notify the Dairy Commission, on forms supplied by the Commission, by certified mail ten (10) days prior to sale or offer to sell at prices different from those established and filed with the Commission, and shall send a copy of such notice by certified mail to each distributor operating within the market or markets where the change is to become effective. Any distributor affected by a change in prices by a competitor, which has been duly filed with the Commission, may waive the ten (10) days prior notice and put into effect similar price changes (but not below those which have been duly filed with the Commission by a com-

petitor) provided such distributor notifies the Commission in writing of the change in prices to be placed into effect and the name of the competitor whose prices are being met, at least one day prior to the date such prices are to become effective.

E. No distributor shall sell or offer for sale any product covered by the Act in any market, either directly or indirectly through a sub-distributor, sales branch or subsidiary, at a price less than the prices offered in the market in which such distributor's processing plant is located, or less than the prices offered in the principal sales area of such distributor (measured by volume of sales), except when such lower prices are offered in good faith to meet a competitive price which has been duly filed with the Commission, and after due notice has been given as provided in paragraph D above. No sub-distributor shall sell or offer for sale any product covered by the Act at a price forbidden the distributor from which such sub-distributor obtains processed products.

F. Each distributor located within South Carolina, who receives milk regularly from producers, shall file with the Commission, within ten (10) days after receipt of forms furnished by the Commission therefor, the price to be paid producers for each class of milk as set forth in Regulation No. 2. Each distributor shall notify the Commission and each of his respective producers in writing not less than thirty (30) days prior to the first day of any delivery period in which a decrease in such prices is to become effective. The prior notice may be waived by any distributor to meet a decrease in the class prices duly filed with the Commission by any distributor located within the State.

REGULATION NO. 5

Records and Reports

A. Each distributor shall accurately prepare and maintain all records necessary to enable the Commission or its representatives to determine:

1. The amount, source, butterfat test and price paid for all milk, milk products (including powdered and condensed products), frozen desserts and frozen dairy foods received from all sources. Such receipt records shall include all processed and packaged products received by a distributor and sub-distributors, sales branches or subsidiaries principally supplied by such distributor. These records must show daily transactions summarized into monthly totals.
2. The amount of milk, skim milk, (including such products reconstituted from powdered or condensed products), butterfat and other ingredients used in the processing or manufacture of each type of milk or milk product and frozen dessert or frozen dairy food processed and manufactured. These records must show daily processing and manufacturing operations, summarized into monthly totals.
3. The sale or disposition of all milk, milk products, frozen desserts and frozen dairy foods received or manufactured. These records must show retail, wholesale and other sales by units and the value received for each group of units, shown as daily transactions and summarized into monthly totals.

4. The butterfat test of each producer's milk, the date such test was made and the butterfat test of each commodity sold.
5. Distributors not having facilities to buy milk and milk products on the basis of weight and test shall determine the butterfat content of milk and milk products sold, used or transferred by the use of the following tests: milk 3.8%, flavored drink 2.0%, heavy cream 36.0%, medium cream 18.0% and half and half 12.0%.

B. Each distributor, on or before the twentieth of each month, shall submit to the Commission a report covering the previous month's operations, and the report shall be in such detail as prescribed by the form furnished by the Commission. The information contained in the report must be compiled from records which shall be retained by the distributor for three years, and such records shall be subject to audit and inspection by authorized representatives of the Commission.

C. Each distributor and sub-distributor shall prepare a ticket or invoice in duplicate showing in detail each wholesale transaction. Copies of such tickets or invoices shall be maintained at least six calendar months and shall be subject to inspection by any authorized representative of the Commission.

D. All books and records as defined in Section 2 of the Act, of each person required by the Act to obtain a license or permit from the Commission, shall be subject to audit and inspection by any authorized representative of the Commission.

E. It shall be deemed a violation of this regulation to enter on any record kept or report submitted pursuant to this regulation any false or misleading information or to present to the Commission or its agents such information which the distributor knows to be false or misleading.

REGULATION NO. 6

Administrative Procedure

The Director shall be responsible to the Commission for the administration of the provisions of the Act and all rules and regulations adopted by the Commission pursuant to the provisions of the Act. Any person as defined by the Act who is aggrieved by an interpretation by the Director of any provision of the Act or rules and regulations promulgated thereunder shall have the right of appeal to the Commission. Notice of intention to appeal from any interpretation of the Director shall be in writing and shall be mailed to the Commission at its offices in the City of Columbia. Upon receipt of such notice by the Commission office, the party appealing shall be notified in writing ten days in advance of the next scheduled meeting of the Commission. Any person as defined by the Act aggrieved by an order or act of the Commission shall have the right of appeal as provided in Section 14 of the Act.

REGULATION NO. 7

Amendment, Suspension or Termination of Regulations

Unless otherwise provided by the Commission in any notice of the amendment, suspension or termination of any or all of the provisions of any regulation adopted by the Commission, such change shall neither

terminate any right, duty, obligation or liability nor waive any violation occurring prior to the effective date of said change.

REGULATION NO. 8

Repeal of Prior Regulations

All rules, regulations and orders heretofore issued by the Commission under authority of Act 230 of the 1953 Acts and Act 255 of the 1955 Acts of South Carolina are hereby repealed.

1. Divide Total Class I Sales by total of producers' base. (This is the percent of total base sold in Class I.)
2. Divide each producers' deliveries by their respective base. (This gives the percent of base delivered by each producer.)
3. Compare the percent of base delivered by each producer to the percent of base sold in Class I. (That is, the result of Step 2 by Step 1.) If the percent of base delivered is less than the percent of total base sold in Class I, the producer is eliminated and receives all Class I.
4. (a) After all eliminations are made by Step 3, obtain a new percentage of total base sold in Class I by subtracting the sum of the deliveries by producers eliminated in Step 3 from total Class I Sales.
(b) Subtract the sum of their respective bases from total base.
(c) Divide (a) by (b).
5. Compare the percent of base delivered by each producer not previously eliminated to the result obtained in 4(c). If the percent of base delivered is less than 4(c), then this producer/or producers are eliminated and receive no Class II.
6. Repeat step 4 by subtracting the sum of the deliveries by the producers eliminated in Step 5 from net Class I Sales and the sum of their bases from net Total Base. Divide the former by the latter.
7. Repeat Step 5. If there are producers falling in this category, then Step 4 must be repeated. However, if none are eliminated, then multiply each remaining producer's base by the percentage in Step 6. This is the amount of pounds he is to be paid for in Class I.

The difference between Class I Sales and Total Deliveries represents Class II. However, if there are three classes of milk in use, then the following plan would be used.

8. Divide the last aggregate producer's base obtained for Class I Sales into the total Class II Sales or Use.
9. Divide excess of total deliveries over Class I of each producer by his base. Compare the % obtained for each producer with the % obtained in Step 8. Eliminate anyone falling below the gross %. If there are eliminations, then the procedure used in Step 4 would be repeated. Those not eliminated will have their share of Class II milk determined by multiplying the gross % by their base.
10. The Class III is determined by subtracting the Class I and II milk from the total deliveries of each producer.

Amendments

(Filed in the office of the Secretary of State February 5, 1962)

- Regulation No. 2 is amended as follows:
- Delete all of sub-paragraph 1 of paragraph B. and add in lieu thereof the following sub-paragraph.
- 1. Milk disposed of in bulk to other distributors shall be classified as Class III by the shipping distributor except as provided in subparagraph 2. The shipping distributor shall be paid for such Class III milk on the basis of the amount of such milk utilized by the receiving distributor in Class I or Class II, as determined by the utilization at the receiving distributor's plant and verified by the monthly audits of the Commission, at not less than the highest price filed with the Commission by the shipping or receiving distributor for such classes. The shipping distributor shall return to his producers the price received for any bulk milk sold or transferred to another distributor in this classification less reasonable handling and transportation charges if any are incurred.

(Filed in the office of the Secretary of State March 27, 1962)

Regulation No. 2 as amended is amended as follows:

- Delete all of sub-paragraph 1, paragraph A, and add in lieu thereof the following sub-paragraph.
- 1. Class I shall include all sales of processed fluid milk and fluid milk products containing one percent (1%) or more of milk fat (excluding sour cream), and bulk milk sold or transferred to any plant located within the State which has been certified to the Commission to be for use in a federal military contract, except that portion of such products which may be approved by the Commission to be classified in Class II pursuant to paragraph B, sub-paragraph 3; provided, however, the transfer of such products to Class II as herein authorized shall not be made by a distributor unless the Class I and Class II prices filed with the Commission and paid to producers by such distributor is equal to the price filed with the Commission for Class I and Class II milk by distributors which receive ninety percent (90%) of the Grade A milk delivered to distributors located within South Carolina by base holding producers. Fluid cream, milk-cream mixtures and concentrated milk in excess of six percent (6%) butterfat shall be included in Class I on a milk equivalent basis.

BOARD OF HEALTH

(Promulgated under authority of Section 32-8, Code of Laws of S. C., 1952)

Waste Disposal Systems

(Filed in the office of the Secretary of State July 3, 1961)

SECTION 1. GENERAL

Each dwelling unit, or building occupied for more than two hours per day, shall be provided with approved facilities for the disposal of domestic or industrial waste. Where public sewers are inaccessible or non-existent,

and construction of a multiple-use sewage collection and disposal system is impracticable, a septic tank sewerage system may be used for the disposal of domestic waste. Plans for proposed housing developments, or any subdivision of land intended for housing lots, shall be submitted by the property owner to the County Health Department; or elected or appointed Sanitary District Commission bounded by law, for approval, prior to any sale of lots or construction in the development. Plans for individual sewage facilities shall be submitted by the property owner to the County Health Department and approval received prior to any construction on the lot. After the plans are approved, the sewage disposal facilities shall then be built according to the rules and regulations so as to receive the approval of the State Board of Health through a duly authorized agent or duly elected or appointed Sanitary District Commission bounded by law.

SECTION 2. MINIMUM CONDITIONS

Septic tanks and effluent absorption fields may be used for disposal of domestic waste PROVIDED:

- (a) The ground water elevation shall be at least thirty-six inches (36) below the surface, or not less than six inches (6) below the bottom of the ditches within the absorption field, whichever shall be greater. Rock formation or other impervious strata shall be at a depth greater than six feet (6) below the surface.
- (b) No part of a septic tank or absorption disposal field shall be constructed within fifty (50) horizontal feet of a private or public well, or an impounded or natural body of water, including open drainage ditches.
- (c) The area of the lot, or plot of ground is of sufficient size so that no part of the disposal system will be within five (5) feet of the building, property line, or under a building, driveway or parking area.
- (d) The soil on the lot is suitable for the proper functioning of this type of disposal system. Standard procedures to be followed in performing percolation tests, if used to determine the suitability of the soil.
- (e) The designed system is of adequate size, properly located on lot.

SECTION 3. APPLICATION, PERMIT, APPROVAL

(a) Application

Application forms for permit to construct will be furnished by the County Health Department or a duly elected or approved Sanitary District Commission bounded by law. The property owner shall furnish on the application blank correct information necessary for the determination of the feasibility of septic tank waste disposal systems, including the size of lot, layout of system on lot, driveways, water table, type of soil, and any other information deemed necessary.

(b) Permit to Construct

A permit to construct a septic tank and absorption field will be issued to the property owner if the lay of the land and the size of the lot will accommodate the proposed system and the other minimum requirements as set forth in these regulations are met. The permit holder will build or have built the septic tank and absorption

field according to the conditions set forth in the permit and according to these rules and regulations.

(c) Approval

The system is to be left exposed until a final inspection is made by a duly authorized agent of the South Carolina State Board of Health, or an agent of a duly authorized Sanitary District Commission, and a certificate of approval issued.

Contractors, builders, developers, or realtors selling newly constructed or old homes requiring remodeling or changes to sewage disposal systems shall provide the buyer with a certified copy of the Health Department approval of the septic tank and absorption field.

No home or building shall be rented without satisfactory sanitary waste disposal facilities.

SECTION 4. TANK CAPACITY

No septic tank shall be installed which has a net liquid capacity of less than 730 gallons.

SECTION 5. ENGINEERING STANDARDS

The plans for each septic tank shall be in accordance with approved engineering standards in general, and the following standards in particular:

- (a) The length shall be at least two (2) but not more than three (3) times the width.
- (b) The uniform liquid depth shall not be less than four (4) feet.
- (c) At least one (1) foot freeboard shall be provided.
- (d) The theoretical detention period shall not be less than twenty-four (24) hours, based on the average daily flow.
- (e) All tanks shall be constructed of a material approved by the Health Department and shall be water-tight.

SECTION 6. MINIMUM REQUIREMENTS FOR ABSORPTION FIELD

The location of the absorption field shall be in an unobstructed area, free of trees, outside the area occupied by the building and outside areas used for driveways or parking.

- (a) The slope of the distributor lines and bottom of the ditch shall not be less than two (2) inches per 100 feet, nor more than four (4) inches per hundred (100) feet.
- (b) The bottom width of the distributor ditch shall not be less than eighteen (18) inches.
- (c) Coarse aggregate under distributor line shall not be less than six (6) inches deep.
- (d) The diameter of the distributor line shall not be less than four (4) inches, and shall be so constructed that leaching will occur at one (1) foot intervals or less.
- (e) If farm tile is used as a distributor, the top half of tile joints shall be covered with strips of asphalt roofing or other approved type of joint cover.
- (f) Distribution or drop boxes may be installed where necessary.

- (g) The area of the absorption field will be determined by the number of bedrooms per dwelling, or the number of persons using facilities, and soil conditions but no tile field shall contain less than one hundred (100) feet of tile and no single distributor line in the absorption field shall exceed one hundred (100) feet in length.
- (h) The number of distributor lines shall not be less than two (2).
- (i) All distributor lines shall be installed according to standard engineering practices. Grade boards shall be set prior to construction of lines.
- (j) The depth of coarse aggregate over the distributor line shall not be less than three (3) inches.
- (k) The coarse aggregate over the distributor line shall be covered with an untreated building paper or a layer of straw thick enough to prevent the infiltration of backfill material.
- (l) The depth of earth cover over coarse aggregate shall not be less than nine (9) inches, nor more than fifteen (15) inches.

SECTION 7. GREASE TRAPS

Boarding houses, cafes, restaurants, hotels, or food preparation establishments shall install a grease trap on the kitchen waste line preceding the septic tank. The grease trap shall have a theoretical detention period of at least thirty (30) minutes, and shall be easily accessible for cleaning. Grease traps opening into the kitchen are prohibited.

SECTION 8. TANKS GREATER THAN 2,000 GALLONS

The plans and specifications for each septic tank installation having a capacity of two thousand (2,000) or more gallons, or serving sixty (60) or more persons shall be submitted by a registered engineer to the Division of Sanitary Engineering of the State Board of Health, through the local Health Department, and approved by the State Health Officer, before the unit is installed. Each such tank shall be constructed so as to have an effluent compartment not longer than one-third ($1/3$) the total length of the tank, nor shorter than three (3) feet, and shall be equipped with a dosing chamber and siphon if absorption field or filter is used for secondary treatment of the tank effluent, unless otherwise authorized.

SECTION 9. DISCHARGE OF WASTE

No septic tank effluent or filter effluent shall be approved for discharge into any stream in South Carolina unless authorized by an agent of the South Carolina State Board of Health and the South Carolina Water Pollution Control Authority.

SECTION 10. CLEANING SEPTIC TANKS

All persons or firms cleaning or pumping out septic tanks shall obtain a written permit from the local Health Department.

SECTION 11. REPEAL

All rules and regulations pertaining to septic tanks heretofore promulgated are hereby declared null and void.

SECTION 12. PENALTIES

Failure to comply with the provisions of any section or sub-section of these regulations constitutes a violation thereof, and each day thereafter shall be considered a new offense, and shall constitute, according to Section 32-17, Code of Laws of South Carolina, 1952, a misdemeanor, punishable as provided in that section.

Nuisances—Defined

(Filed in the office of the Secretary of State October 25, 1961)

The following supercede regulations filed with the Secretary of State February 17, 1944, and which may be found on page 620, Volume 7, of the Code of Laws of S. C., 1952.

Section 1. Whatever is dangerous to human health, whatever renders the ground, air, or food a hazard or injury to human health, and the following acts, conditions and things, whenever, in the opinion of the local health director they are dangers to the public health, are each and all of them hereby declared to constitute a public health nuisance:

(a) The maintenance of any barn, stable, chicken yard or manure pile in such manner that the same is a breeding place for flies or liable to become so if within 500 feet of a residence.

(b) The deposit of garbage in any but fly-proof and watertight receptacles, where residences are less than 500 feet apart.

(c) The accumulation of water in which mosquito larvae may breed.

(d) Growth of weeds where mosquitoes harbor, or rubbish is concealed on lots between residences less than 500 feet apart.

(e) Insanitary condition of privies, toilets, or any other waste disposal, human or otherwise, where residences are less than 500 feet apart.

(f) Any building, or any part of a building, which, on account of its unsafe, dilapidated, or insanitary condition; or its occupancy or use by any person afflicted with communicable disease, or by filthy tenants, may endanger the life or health of residents, occupants, patrons or visitors therein or in the vicinity thereof.

(g) The discharge of sewage, garbage, or any other organic filth into or upon any place in such manner that transmission of infective material to human beings may result therefrom.

(h) The maintaining or carrying on or manufacture of chemicals, or any other trade or manufacture in such manner as to be a menace to the public health through improper or inadequate disposal of dust, wastes or fumes.

Section 2. No house refuse, offal, garbage, dead animals, decaying vegetable matter, or organic waste of any kind shall be thrown upon any street, road, or public place; and no such refuse, putrescible or decaying animal or vegetable matter shall be kept in house, cellar, or adjoining outhouses or premises for more than forty-eight hours in any incorporated or unincorporated city, town, village, or built-up community. All receptacles for such garbage, etc., shall be so constructed as to be of sufficient dimensions for the reception of all garbage, and shall be water-tight, made of tight-matched lumber or galvanized iron, and shall

stand at least nine inches from the ground, and be provided with a suitable cover, which must be kept properly adjusted to same, so as to protect the contents from flies, insects, rats and animals or vermin. All garbage or refuse contents must be emptied at least once every seven days.

Section 3. Any business serving the public or any industry shall at all times be properly policed and staffed so as maintain a safe, sanitary and tidy condition. Any such building, business or industry shall at all times be properly ventilated, free from dust, vapors and gases that might be detrimental to the public health; and free from obnoxious odors that are objectionable to the esthetic senses. All furniture and fixtures in such buildings used by patrons or employees shall be kept clean and in good repair at all times.

Section 4. Whenever and wherever a condition shall exist which, in the opinion of the health director having jurisdiction over the area, or his authorized representative, constitutes a public health nuisance, it shall be his duty to notify in writing the person or persons, firm or corporation, responsible for its continuance, of the character of the public health nuisance and give the person, persons, firm or corporation a reasonable length of time to abate it. However, whenever and wherever a nuisance is of a character as to require, in the interest of the public health, immediate abatement or discontinuance, the local health director may bring a proceeding for immediate action in the court of the county in which the nuisance exists for the abatement of such nuisance and the court may upon hearing and for good cause enjoin the continuance of the condition creating the nuisance, irrespective of all other remedies at law.

Section 5. Failure to abate the public health nuisance after notice constitutes a violation of this regulation, and shall constitute, according to Section 32-17, Code 1952, a misdemeanor, punishable as provided in that Section.

Sanitary Control of Shellfish Industry

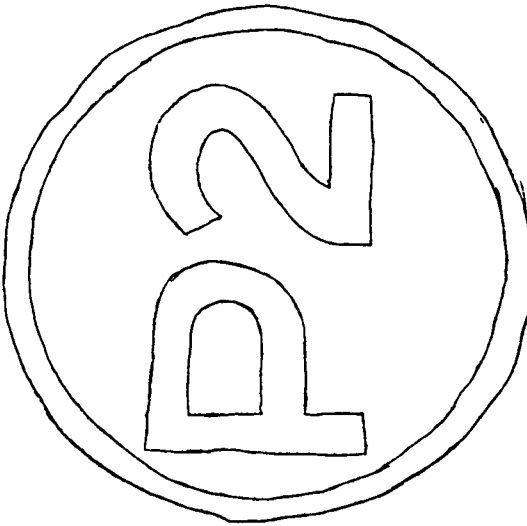
(Filed in the office of the Secretary of State October 26, 1961)

Polluted Oyster Replanting Control Procedure

1. Replanting shipper, shall first secure a permit to replant from the Receiving State, copy to be filed with the South Carolina State Board of Health.
2. Replanting shipper then shall secure a "P" pollution permit from the South Carolina State Board of Health.
3. Replanting shipper shall designate "ONE" point of loading and unloading of polluted shellstock acceptable to South Carolina State Board of Health and shall meet the requirements of the South Carolina Department of Labor.
4. Replanting shipper shall list all trucks and/or other means of transportation including boats, barges, etc., with the State Board of Health as to type, make, state and/or Federal license number.
5. All permitted boats in closed and/or polluted areas shall have painted thereon a "P" permit number as described on the attached design.

DESIGN OF PERMIT TO BE PAINTED ON EACH SIDE OF BOATS GATHERING OR PICKING OYSTERS FROM "CLOSED" OR "POLLUTED" AREAS, ON THE STERN OF THE BOAT.

DESCRIPTION: AN EIGHT INCH CIRCLE, ONE INCH WIDE, IN BLACK OR WHITE ACCORDING TO BOAT COLOR. PERMIT LETTER "P" TO BE FOUR INCHES HIGH AND ONE HALF INCH WIDE. PERMIT NUMBER TO BE OF SAME SIZE.



ANY BOAT SEEN GATHERING OR PICKING OYSTERS IN "CLOSED" OR "POLLUTED" AREAS, WITHOUT THIS PERMIT NUMBER IS SUBJECT TO ARREST. ALL GATHERERS AND OR PICKERS ON PERMITTED BOATS, WILL CARRY IDENTIFICATION, AS TO NAME, AGE, RESIDENCE AND BY WHOM EMPLOYED.

EACH SHIPPER OF "CLOSED" OR "POLLUTED" OYSTERS FOR REPLANTING OR CLEANSING, SHALL FIRST SECURE A "P" TYPE PERMIT, BEFORE STARTING OPERATIONS.

DIVISION OF COMMERCIAL FISHERIES.

SOUTH CAROLINA STATE BOARD OF HEALTH.

6. All trucks and/or other means of transportation including boats, barges, etc., shall carry two—30" x 18" yellow flags.

7. All trucks and/or other means of transportation including boats, barges, etc., (where feasible) after loading to be sealed with the South Carolina State Board of Health wire seals or similar type.

8. All trucks and/or other means of transportation including boats, barges, etc., shall have on board duplicate transit permits (issued by S. C. State Board of Health) filled out completely—one copy to be signed by proper authority in the Receiving State and returned to the S. C. State Board of Health within one (1) week of date of shipment.

9. Telegrams to be sent to Receiving State to proper authority denoting number of trucks and estimated time of arrival at replanting point.

10. All picking and/or gathering boats in closed or polluted areas are to be under constant supervision while gathering and/or proceeding to unloading point.

11. Permitted Replanters are to gather or pick oysters from closed or polluted areas **ONLY** on designated days, as designated by State Board of Health. Collecting or gathering on other than designated days will be in violation regardless of having a permit. This is in view of the fact that gathering can only be done under direct supervision with limited personnel.

12. In the event of a breakdown or other emergencies by trucks or other means of transportation including boats, barges, etc., the operator shall notify the nearest local Health Department in the area in which the breakdown occurs for instructions as to the disposition of the shellstock.

Regulations for Purchase, Dispensing and Administering Narcotic Drugs In Hospitals

Promulgated under authority of Section 32-1488, Code of Laws of S. C.,
1952

(Filed in the office of the Secretary of State December 1, 1961)

1. **HOSPITAL REGISTRATION:** Hospitals maintaining a stock of narcotic drugs for administration to patients within the hospital must register with the Director of Internal Revenue, Narcotic Tax Division, Columbia, South Carolina, and obtain a Special Tax Stamp under Class 4 (authority to administer narcotic drugs) and Class 5 (authority to deal in "Exempt" narcotics). Hospitals dispensing narcotic drugs to out-patients must also register under Class 3 and Class 5 (retail dealer in narcotic drugs). In order to become registered under Class 3 (retail dealer) the hospital must maintain a pharmacy under the supervision and direction of a registered pharmacist. Hospitals registered under both Class 3 and 5 (retail dealer) and Class 4 and 5 (for administering to patients within the hospital) must maintain two separate stocks of narcotic drugs. Narcotic drugs under Class 3 and 5 may be sold only at retail to out-patients. Narcotic drugs under Class 4 and 5 may be administered only to patients within the hospital on the order of a physician who is duly registered under the Federal Act.

2. **PRACTITIONER'S REGISTRATION:** Physicians who prescribe narcotic drugs for, or order narcotic drugs administered to patients in a hospital must be registered under Class 4 (authority to prescribe and administer narcotic drugs.)

3. **INTERN REGISTRATION:** An intern in the employ of a hospital may **NOT** prescribe or order the administration of a narcotic drug to patients within the hospital until he has duly registered with the Director of Internal Revenue and obtained a Special Tax Stamp under Class 4.

4. **DAMAGED NARCOTICS:** Damaged, deteriorated, surplus, or unusable narcotic drugs **MUST** be turned over to the District Supervisor,

Bureau of Narcotics, Atlanta, Georgia, and reported on Form 142, or such narcotic drugs may be turned over to the Chief Drug Inspector, State Board of Health, Columbia, South Carolina, for surrender to the District Supervisor.

5. RESPONSIBILITY FOR NARCOTICS: The administrative head of the hospital, as a registrant under the Narcotic Act is responsible for the proper safeguarding and handling of narcotic drugs within the hospital. The responsibility for storage, accountability, and proper dispensing of narcotic drugs from the pharmacy may be delegated to the pharmacist. Likewise, the Director of Nurses may be delegated the authority for proper storage at nursing stations of limited quantities of narcotic drugs for use as directed by physician orders. However, delegation of authority does not relieve the administrator of the hospital of supervisory responsibility to insure detection and correction of any diversion or mishandling. The administrator shall be certain that all possible control measures are observed.

6. PRESCRIPTION NOT REQUIRED: Physicians' orders for patients within the hospital must appear on the physician's order sheet (patient's chart) and no prescription is required. The Nursing Station floor stock used in administering narcotic drugs must be accounted for on the narcotic control or disposition form. Physician's order sheets should be checked against the narcotic control sheet periodically by the person in charge of the pharmacy or drug room. No hospital shall dispense a physician's prescription unless the hospital maintains a pharmacy under the supervision and direction of a duly licensed pharmacist.

7. REGISTRY NUMBER NOT REQUIRED: The physician's full name or initials must appear on the physician's order sheet (patient's chart). The physician's registry number is not required except on prescriptions.

8. TELEPHONE ORDERS: Telephone orders for narcotics to be administered to patients with the hospital are permissible only in case of emergency or under conditions considered critical by the physician. The nurse shall write the order on the physician's order sheet, stating "Telephone Order" and sign the physician's name and her initials. The narcotic drug may be administered at once. The physician shall verify his telephoned order by a notation on the order sheet within twenty-four (24) hours.

9. VERBAL ORDERS: Verbal (oral) orders for narcotic drugs to be administered to patients within the hospital are permitted in a bona fide emergency. Verbal orders shall be handled in the same manner as telephone orders and shall be verified by the physician within twenty-four (24) hours.

10. STANDING ORDERS: Orders for narcotic drugs which are given as a routine procedure by a physician, such as for pre-operative medication etc., shall be handled in the same manner as telephone orders and shall be verified by the physician within twenty-four (24) hours.

11. **P. R. N. ORDERS:** P.R.N. orders for narcotic drugs to be administered to patients within the hospital are permissible for periods not exceeding seventy-two (72) hours, regardless of the type of case. If narcotic drugs are to be continued beyond this period, a new order shall be signed or initialed by the physician.

12. **NARCOTICS FOR PHYSICIAN'S OFFICE OR BAG:** Hospitals shall not furnish or supply a physician with narcotics for his personal use for his office or bag. The physician must obtain his narcotic drugs on regular order forms supplied by the Director of Internal Revenue from a drug wholesaler or manufacturer.

13. **DISPENSING TO OUT-PATIENTS:** Dispensing of narcotic drugs to out-patients on a physician's order is not permitted. Dispensing to out-patients shall be only on the prescription of a duly licensed and registered physician. Such prescription may be dispensed by the pharmacist in charge of the hospital pharmacy if the pharmacy is registered under Class 3 (Retail Dealer).

14. **ADMINISTERING TO EMERGENCY ROOM PATIENTS:** Narcotic drugs may be administered to patients who are admitted to the emergency room of the hospital on the order of the physician in charge of the case. A record shall be kept showing the name and address of the patient, the kind and quantity of narcotic administered, the date, and the physician's order properly executed. Such order shall be initialed by the physician within twenty-four (24) hours.

15. **DISPENSING TO HOSPITAL EMPLOYEES:** Dispensing of narcotic drugs from the stock of hospitals registered under Class 4 is prohibited. In hospitals maintaining a pharmacy registered under Class 3, the pharmacist may compound or dispense a properly executed prescription issued by a duly licensed and registered physician.

16. **ADMINISTERING TO HOSPITAL EMPLOYEES:** Narcotic drugs may be administered to employees of the hospital in the emergency room of the hospital. Such administration shall be on the properly executed order of the physician and recorded in the same manner as prescribed for patients in the emergency room.

17. **STORAGE OF NARCOTIC DRUGS:** Narcotic drugs shall at all times be properly safeguarded and securely kept where they will be available for inspection by properly authorized officers and agents. Large reserve stocks shall be kept in a strong safe, substantial enough to deter entry and heavy enough to prevent being carried away. Other valuable property may be kept in the safe.

- (a) **Nursing Station Narcotic Drug Box: Responsibility:** Only one person on each shift shall possess the key to the Narcotic Drug Box on each Nursing Station. The box shall be kept closed. When the person in charge is relieved, the person taking charge shall count and transfer the narcotics in the presence of the person being relieved, and all narcotics shall be accounted for. The responsibility rests with the person in possession of the key on each shift.

- (b) **Responsibility of the Drug Room:** In hospitals not maintaining a pharmacy under the supervision and direction of a registered pharmacist, the drug room shall be restricted to the Director of Nurses, her assistant, or a designated registered nurse, not more than one of whom shall be in possession of the key to the drug room at the same time. The drug room shall be locked in the absence of the person in charge of the key. The nurse in charge of the drug room shall be responsible for all transactions in the drug room on her respective shift. Observance of (a) and (b) in no way relieves the Administrator of his responsibilities.
18. **PROCEDURE IN CASE OF WASTE, DESTRUCTION, CONTAMINATION, ETC.:**
- (a) **Aliquot (un-used) Part of Narcotic Solutions Used for Dose:** The nurse shall use the proper number of tablets or ampules from nursing unit stock. She shall record the number of tablets or ampules used and the dose given in the proper columns of the Narcotic Control Sheet. She shall expel into the sink that portion of the narcotic solution not used, which shall be recorded and witnessed on the back of the Control Sheet.
- (b) **Prepared Dose Refused or Cancelled by Physician:** When a narcotic dose has been prepared for a patient but not used due to refusal by the patient or cancellation by the physician, the nurse shall expel the solution into the sink and record on the back of the Control Sheet the reason why the narcotic was not used or administered. The head nurse of the unit shall sign the statement and the Director of Nurses or her assistant, countersign it.
- (c) **Accidental Destruction of Narcotics:** When a narcotic solution, tablet, ampule or substances is accidentally destroyed on a nursing unit, the person responsible shall indicate the accidental loss by a check in the spaces allowed for the record on the Control Sheet or the narcotics. The person responsible shall write a complete report of the accident on the back of the Control Sheet and sign the statement. The head nurse of the unit shall also sign the completed statement which shall be countersigned by the Director of Nurses or her assistant.
- (d) **Contaminated or Broken Hypodermic Tablets and Contaminated Narcotic Solutions:** When a narcotic tablet is contaminated or broken, or a narcotic solution is contaminated, the person responsible, or the head nurse shall place the tablets, particles, or solution in a suitable container and label. The person responsible or the head nurse shall indicate the contaminated narcotic by check in the space or spaces allowed for the record on the Narcotic Control Sheet of that narcotic. She shall write on the back of the Control Sheet a complete record or report and sign the statement. The Director of Nurses or her assistant shall countersign the statement. The container with the contaminated or broken narcotic shall be returned to the pharmacy or drug room. The pharmacist or person in charge of the drug room will receive it and note on the Control

Sheet covering that particular narcotic that it has been returned. The hospital shall return the material either by itself or with similar narcotic material at a convenient time, to the District Supervisor, Bureau of Narcotics in the proper manner, or shall notify the Chief Drug Inspector, State Board of Health, Columbia, South Carolina, and request that a visit be made to the hospital.

19. PROCEDURES IN CASE OF LOSS, THEFT, ETC.

- (a) **Discrepancies in Narcotic Count:** Discrepancies involving small amounts (such as single doses) shall be reported to a responsible supervisory official. An investigation shall be made to determine the cause of the loss. A copy of the report of the investigation signed by the responsible supervisor official, shall be filed with the hospital narcotic records and appropriate action taken to prevent reoccurrence.
- (b) **Recurring Shortages:** In cases of recurring shortages (several doses) or loss of significant quantities of narcotics, a thorough investigation shall be made, making every effort to determine the reason for the shortage and the person responsible for the shortage. A complete report of the incident and findings shall be made to the administrative authority of the hospital who shall immediately take appropriate action to prevent recurrence. A copy of the report, including any findings resulting from the local investigation shall be forwarded at once to the District Supervisor, Bureau of Narcotics, Atlanta, Georgia, and to the Chief Drug Inspector, State Board of Health, Columbia, South Carolina.

Death Certificates

Promulgated under authority of Section 32-1102, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State April 3, 1962)

This amends regulations filed with the Secretary of State November 9, 1949.

SECTION 8-A. Medical Certification of Death to be completed by Physician within three days.—

It shall be the duty of the physician last in attendance on the deceased, if any, to fully complete and sign the medical certification of the certificate of death. Indefinite and unsatisfactory terms, indicating only symptoms of disease or conditions resulting from disease, will not be held sufficient for issuing a burial or removal permit; and any certificate containing such terms as defined by the State Registrar shall be returned to the physician for correction and more definite statement. Causes of death, which may be the result of either disease or violence, shall be carefully defined; and if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, homicidal. Where the death occurs in a hospital or institution and there was no regular physician in attendance, then it shall be the duty of the medical officer of the hospital or institution to complete the medical certification of the certificate of death. The medical certification of the certificate of death shall be

completed within three days after death occurs and returned to the funeral director who shall be required to file the fully completed certificate with the Registrar for the area in which the death occurred.

Birth Certificates

The following supercedes Section 30 filed with the Secretary of State April 29, 1952 and repeals Section 17 filed November 9, 1949:

SECTION 30. Filing a belated or delayed birth certificate.

Where a birth certificate has not been filed within the prescribed ten days as previously provided, the State Registrar is empowered to accept a belated birth certificate provided the child has not passed its fourth birthday. The belated birth certificate shall be completed on the **CERTIFICATE OF LIVE BIRTH** prescribed by the State Board of Health and shall bear the signatures of the attendant at birth and the mother of the child.

Where a **CERTIFICATE OF LIVE BIRTH** has not been filed by the fourth birthday, as previously provided for in these regulations, the State Registrar is empowered to accept a **DELAYED CERTIFICATE OF BIRTH** provided the registrant complies fully with the following requirements:

The certificate shall be completed on the **DELAYED CERTIFICATE OF BIRTH** provided by the State Board of Health. The certificate shall be signed by the registrant if 21 years of age or older. If the registrant is under 21 years of age, the certificate shall be signed by either parent or if both parents are deceased, then by the registrant's guardian. Where the certificate is signed by the registrant's guardian, this fact shall be inserted below the guardian's signature. The certificate must be signed before a notary public or other officer qualified by law to administer oaths and must bear his or her seal of office.

Three items of satisfactory documentary evidence must be submitted with the **DELAYED CERTIFICATE OF BIRTH**. The documentary evidence must substantiate (1) Date of birth, (2) Place of birth, and (3) Parentage as set forth on the **DELAYED CERTIFICATE OF BIRTH**: Provided, however, that if the registrant is 12 years of age or under, two items of satisfactory documentary evidence one or more years old shall be submitted for verifying (1) Date of birth, (2) Place of birth, and (3) Parentage. The items of documentary evidence shall be returned to registrant or his or her agent after essential information has been abstracted. The State Registrar is empowered to determine what shall constitute satisfactory documentary evidence.

The following is an addition to regulations filed April 29, 1952:

SECTION 31. Agencies authorized to issue certified copies of vital records.

It shall be unlawful for any individual or agency other than the South Carolina State Board of Health or persons authorized in city or county health departments and clerks of court to issue copies of birth certificates, death certificates or fetal death certificates. Any individual or agency who shall violate the provisions of this Section shall be guilty of a misdemeanor.

INDUSTRIAL COMMISSION

Promulgated under authority of Section 72-59, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State September 14, 1961)

The following supercedes present Rule 27:

Rule 27

In all cases, Form No. 20, Statement of Days Worked and Earnings of Employee, must be submitted to the Commission along with Agreement as to Compensation or at the time of the hearing in contested cases.

INSURANCE DEPARTMENT**Liquefied Petroleum Gas**

Promulgated under authority of Act No. 785 of 1952

(Filed in the office of the Secretary of State September 15, 1961)

June, 1961, Standards of the National Board of Fire Underwriters Pamphlet No. 58, for the Storage and Handling of Liquefied Petroleum Gases is filed in the office of the Secretary of State. Those interested should refer to this copy.

Owner

(Filed in the office of the Secretary of State January 4, 1962)

1. The word "owner", whenever and wherever used in the rules and regulations of the South Carolina Insurance Department, pertinent to liquefied petroleum gas, including the NBFU Pamphlet No. 58, is defined as the titleholder of such tank, cylinder or container of whatever description, used in connection with the storage of liquefied petroleum gas.

2. Every supply tank or container, of 100 pounds net liquefied petroleum gas capacity or greater, with its regulating equipment connected in a service system, shall be identified as long as it is in service by the supplier with an attached tag, label, or marking which shall legibly and visibly show the name of the person, firm, or corporation who is supplying liquefied petroleum gas to said system together with the name of the titleholder if other than the supplier. If the supplier is other than the "owner", as herein described, his authority to supply shall in all cases be supported by written contract with the owner, except in those instances wherein the consumer is the titleholder. It shall be unlawful for any person, firm, or corporation other than such supplier or owner of system, to disconnect, or to interrupt, or to fill said system with liquefied petroleum gas without the consent of the said supplier; however, when some other registered supplier is requested by the consumer to connect his service and is given permission by the consumer to connect service, the supplier shall notify former supplier before disconnecting former service, and the connection of his own service, and shall cap or plug all disconnected equipment outlets and leave said equipment in condition consistent with the regulations of the South Carolina Insurance Department.

Credit Insurance

Promulgated under authority of Act No. 686 of 1960

(Filed in the office of the Secretary of State January 4, 1962)

The following supercedes regulations filed with the Secretary of State January 5, 1961:

1. Definitions

For the purpose of this Section:

(a) "Credit Life Insurance" means insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction;

(b) "Credit Accident and Health Insurance" means insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy;

(c) "Credit Property Insurance" means insurance on property securing a specific loan or other credit transaction against physical damage, destruction or loss.

2. All insurance companies writing any of the above defined forms of debtor insurance in this State shall retain not less than 45% of the total amount of gross premiums for such business written in South Carolina for the payment of claims, return premiums and all expenses properly allocable to such business exclusive of commissions and to provide for contingencies and a reasonable and fair rate of profit. In no event shall the total of all guaranteed or provisional commissions paid for such business exceed 55% of the gross premiums. No amount hereby required to be established may be used to pay directly or indirectly any additional commission or remuneration of any kind to any person.

3. Monthly balances inclusive of any return commissions due shall be paid to the insurance companies, by the writing agents, not later than the fifteenth (15th) day of the month following the month in which the business is written. Delay by the insurance companies in negotiating or depositing the remittance is prohibited.

4. No person connected with a lending agency, directly or indirectly, shall adjust or attempt to adjust any credit insurance claim.

5. Payment of claims shall be made only by the insurer, and shall be paid to the creditor to reduce or extinguish the unpaid indebtedness unless waived in writing by the creditor and, wherever the amount of insurance may exceed the unpaid indebtedness, then any such excess shall be payable to a beneficiary, other than the creditor, named by the debtor or to his estate. The unearned insurance premium, if any, shall be similarly repaid and shall be computed as of the date of death or loss.

6. The agent shall furnish the borrower, within thirty days after a loan is made, a policy or certificate of insurance covering any insurance procured by or through the agent which shall set forth the amount of any premium or identifiable charge which the borrower has paid or is obligated to pay, the amount of insurance, the term of insurance and a complete description of the risks insured.

7. No insurance shall be written in connection with any loan whereof the cash to the borrower, actually received, is twenty (\$20.00) dollars or less.

8. The assessment or collection of policy writing fees on any policy of credit insurance is prohibited.

9. No borrower under the provisions of the Small Loan Act shall be charged any premium for lien-endorsement coverage.

10. No borrower under the provisions of the Small Loan Act shall be charged any premium for non-recording insurance coverage.

11. Every hospitalization or accident and health claim shall be supported by the certificate of a licensed medical physician, on the forms presently in use wherever practicable.

12. All claims shall be reported to the insurer by the lender within 48 hours after notice of such claim, whether notice has been presented orally or in writing.

13. All insurance written under the provisions of the Small Loan Act, except property insurance, shall be limited to coverage on a single interest or decreasing balance basis.

14. Every insurance company writing credit life insurance for a Small Loan licensee shall furnish copies of all death claims to the Small Loan Division of the Board of Bank Control, including in each instance the name of the Small Loan licensee through whom the death claim is paid.

15. Accident and health insurance shall be written to the nearest month on weekly re-payment loans. On monthly payment contracts, accident and health insurance shall not be written for a term in excess of the term of the note.

16. If the amount of the loan is not a multiple of five (\$5.00) dollars, the amount of credit life insurance may be written for the next highest multiple of five (\$5.00) dollars.

17. The periodic re-payment indemnity under accident and health insurance may be written for the next highest multiple of five (\$5.00) dollars.

18. Insurance companies writing credit insurance shall maintain adequate records so that full and detailed information as to premiums, claims and expenses, of such insurance will be available to the Insurance Department whenever requested by it.

19. Any plan which in effect, whether directly or indirectly, tends to evade the requirements and spirit of this Regulation is prohibited.

20. Computation of Reserves:

(a) The reserve for credit accident and health and credit property insurance is to be maintained on a gross unearned premium basis. The gross unearned premium basis is understood to mean a pro rata method for level term contracts and the "rule of 78" or "the sum of digits" method for decreasing term contracts.

(b) The reserve for credit life insurance is to be maintained either on a gross unearned premium basis or in accordance with a mortality table and interest assumption approved for ordinary life policies. The method chosen for credit life valuation as of December 31, 1961, shall

not be changed for subsequent years or periods without the prior written approval of the Chief Insurance Commissioner.

(c) All reserve computations are to be made in such a manner as will enable them to be subsequently verified by representatives of this Department. Computations shall not encompass the usage of broad assumptions relative to ages, terms, or other variable factors.

21. That Regulation filed January 5, 1961, and entitled "Credit Insurance" is, herewith and hereby cancelled and superceded.

Reserve Tabulations, Life, Accident and Health Insurance

Each and every domestic insurance company having life and/or accident and health insurance in force shall submit, with the Annual Statement required by this Department, a copy of the valuation tabulation used in the determination of its reported life and accident and health reserve. If the tabulation is a summarization, each company shall be prepared to support each and every phase of the summary by detailed cards, listings, or some form of acceptable running inventory. This detailed information shall be maintained until verification of the valuation has been made by a representative or representatives of this Department.

Each company shall take the necessary steps to acquire and maintain, in its Home Office, the necessary reserve tables for proper calculation of reserves on all contracts in force as of the applicable valuation date. If the insurance is of such a nature that no appropriate mortality or morbidity tables have been published the company may use methods and approximations warranted by company experience and approved by the Chief Insurance Commissioner.

Policy Approvals

On January 1, 1962, and thereafter, every industrial life insurance policy or contract submitted to this Department for approval by a domestic insurance company, must be accompanied by the appropriate net premium and terminal reserve, except in those instances where the applicable net premiums and terminal reserves have been published.

Every ordinary life policy or contract must be accompanied by the appropriate net premium, terminal and mean reserves, except in those instances when such premiums and reserves have been otherwise published.

If such premiums and reserves are not submitted because of publication, the name of the publication together with a statement that the company possesses and maintains a copy of the publication must be submitted in writing to this Department.

No approval of any industrial life policy or contract or any ordinary life policy or contract will be given except upon compliance with this Regulation.

MENTAL HEALTH COMMISSION

Promulgated under authority of Act No. 836 of 1952

Licensing Standards

(Filed in the office of the Secretary of State January 31, 1962)

For the purpose of carrying out the provisions of Act 836, Article I, Section 3, Subsection (c), Acts and Joint Resolutions of the General Assembly of South Carolina, 1952, as amended, the South Carolina Mental Health Commission hereby adopts as its licensing standards for all institutions under the Commission's control, consisting of hospitals and other institutions in this state providing for in-patient care, treatment, or training for the mentally ill, mentally defective, epileptic, drug addicted or alcoholic, those minimal standards set by the South Carolina State Board of Health for licensing of nursing homes and institutional nursing infirmaries, and further that licenses heretofore granted by the South Carolina State Board of Health to such hospitals or institutions are continued in effect, subject to condition or conditions which may be imposed by the South Carolina Mental Health Commission.

Police Marshals

(Filed in the office of the Secretary of State March 6, 1962)

For the purpose of carrying out the provisions of Act 836, Article I, Section 3, Subsection (h), Acts and Joint Resolutions of the General Assembly of South Carolina, 1952, as amended, the Superintendents of the South Carolian State Hospital and Pineland, A State Training School and Hospital, are hereby authorized to employ suitable persons to act as marshals to keep intruders off and prevent trespass upon state mental health facilities. The marshals employed, insofar as state mental health facilities are concerned, shall be vested with all the powers and charged with all the duties of police officers generally. They may eject trespassers. They may without warrant arrest persons guilty of disorderly conduct or of trespass on state mental health facilities, and have them tried in any court of competent jurisdiction.

Maintenance Fees

(Filed in the office of the Secretary of State April 30, 1962)

For the purpose of carrying out the provisions of Act 836, Article I, Section 3, Subsection (g) of the Acts of 1952, the South Carolina Mental Health Commission hereby adjusts the charges for maintenance and medical care of a patient at the South Carolina State Hospital from Sixty Dollars (\$60.00) per month to Seventy-five Dollars (\$75.00) per month, effective July 1, 1962.

BOARD OF NURSING

Promulgated under authority of Section 56-967, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State August 8, 1961)

New Regulations adopted July 23, 1961 added to the regulations filed with the Secretary of State June 30, 1959.

Regulation No. 24—Student Practice.**Sect. 56-954 (4)**

Students of nursing cannot be employed as nurses, but may practice as part of their educational training.

Regulation No. 25—Certificate of Mental Competence.**Sect. 56-983, 56-1004**

A nurse who applies to the Board for a certificate of registration or licensure or for a certificate of renewal of license to practice, who has been or is a patient in a state mental hospital or other institution or clinic for treatment of mental illness, must furnish the Board proof of mental competence and competence to assume the responsibilities of the practice of nursing before said application will be considered by the Board.

PUBLIC SERVICE COMMISSION

Promulgated under authority of Section 58-1063, Code of Laws
of S. C., 1952

Docket No. 11610**Order No. 11772**

(Filed in the office of the Secretary of State November 29, 1961)

**IN THE MATTER OF RULES AND REGULATIONS APPLYING
TO COMMON CARRIERS BY RAIL AND EXPRESS COMPANIES
—RULE NO. 18, PAGE 753, VOLUME 7, CODE OF LAWS OF
SOUTH CAROLINA (1952)—FILING REPORTS AND
FURNISHING INFORMATION**

Upon information that effective January 1, 1962 South Carolina rail lines operating in interstate, as well as intrastate, commerce will be required by the Interstate Commerce Commission to file quarterly, instead of monthly, reports of revenues and expenses, and upon consideration of a request by Southern Railway Company for authority to likewise file with this Commission quarterly revenue and expense reports, in lieu of the monthly reports now required under the first paragraph of our Rule 18, cited above; and

Upon discovery that the time for filing annual reports "on or before the first day of March", as now contained in the second paragraph of Rule 18, is in conflict with revised statutory provisions in Section 58-1041, page 888, Volume 5, Code of Laws of South Carolina (1952);

It is ordered, That the aforesaid Rule No. 18 be modified to read as follows:

Rule No. 18. Filing Reports and Furnishing Information.

Each railroad company shall file in the office of the Commission quarterly reports, on or before the last day of the month following the quarter for which the report is made, showing fully and in detail the revenues and expenses of such company during the reporting quarter and cumulatively for the year.

Each railroad company, railroad terminal company, or express agency employing rail services and facilities, shall, on or before the thirty-

first day of March of each year file in the office of the Commission an annual report, duly sworn to, showing fully and in detail the operations of such company or agency during the preceding fiscal year, to-wit: from January the first to December the thirty-first, both inclusive.

All of said reports shall be rendered on, and in accordance with, the printed forms that the Commission will prescribe and furnish for that purpose.

In addition to the foregoing, each of said companies or agencies shall furnish such other reports and information as the Commission may require from time to time.

Furthermore, it shall be the duty of each of said companies or agencies to produce, for the inspection of the Commission, any and all books, papers, contracts, agreements and other original records, of any character whatsoever, that may be in possession of said company or agency, or within its power, custody or control, or copies thereof, as may be demanded and designated by the Commission.

It is further ordered, That Rule No. 18 as modified above shall become effective with January 1, 1962, and shall, at that time, cancel and supersede its counterpart now contained in the Code provision cited above;

And it is further ordered, That this order shall remain in effect until the further order of the Commission.

This 22d day of November, 1961.

Rule No. 14

Rule No. 14 (a) appearing in Volume 7, Page 752, of the Code of Laws of S. C., 1952 is amended to read as follows:

RULE NO. 14. Closing or discontinuing depots, stations and agencies.

(a) Each and every depot, flag stop, station, office and agency, now maintained, conducted or used in South Carolina by any railroad, express or telegraph company doing business in this state, for the transaction of business with the public is hereby formally established and located at the point and on the premises where the same is now being so maintained and conducted. No such depot, flag stop, station, office or agency, as aforesaid, now established, or that hereafter may be established, pursuant to orders made by the Commission, or voluntarily by such company, or otherwise, shall be closed, removed, suspended, discontinued or abolished without authority granted by the Public Service Commission. Written application shall be made to the Public Service Commission for authority to post notice to the public setting forth the fact that thirty days from date of said notice application for such closing, removal, suspension, discontinuance or abolition will be made to the Public Service Commission. Said notice to the public shall be posted in a conspicuous place at or near such depot, flag stop, station, office or agency, for not less than thirty (30) days, and a copy of such notice sent to the Public Service Commission. At the expiration of that time, unless protest has been received from the public by the Public Service Commission and the company so notified, then formal application may be made to the Public Service Commission for authority to close, remove, suspend, discontinue or abolish such depot, flag stop, station,

office or agency, as the case may be. Should protest be received, the Public Service Commission will notify the company involved, who may, if desired, ask for a formal hearing in the matter, and the Commission will order such hearing if, in its judgment, same is necessary.

Promulgated under authority of Sections 58-1401 through 58-1501,
Code of Laws of S. C., 1952

Order No. 11798

(Filed in the office of the Secretary of State January 11, 1962)

IN RE: DOCKET NO. 11635—The matter of further interpretation of the term "Motor Vehicle Carrier".

It appearing to the Commission that there has developed considerable uncertainty and confusion among the public as to whether persons who tow wrecked automobiles along the public highways are covered by the Motor Vehicle Carriers Act (1952 Code, Sections 58-1401 through 58-1661, as amended),

NOW THEREFORE, upon consideration of the premises and in pursuance of the powers vested in this Commission, it is hereby,

ORDERED:

That the term "Motor Vehicle Carrier" as used in the Motor Vehicle Carriers Act (1952 Code, Sections 58-1401 through 58-1661, as amended) is construed as not including persons or corporations who operate an automobile garage repair business and who tow wrecked automobiles to their place of business for the purpose and with the intention of repairing and rebuilding such automobiles, and that persons who tow wrecked automobiles to their place of business as incidental to their automobile repair business and with the intention of repairing or rebuilding such wrecked automobiles are not required to obtain Certificates of Convenience and Necessity for the conduct of such business.

Order No. 11879

(Filed in the office of the Secretary of State March 16, 1962)

IN RE: DOCKET NO. 11715—The matter of amending General Rule No. 19 by further defining the terms "high explosives", "other dangerous commodities", and "household goods."

It appearing to the Commission, after investigation and discussion, that Rule No. 19 of its General Rules and Regulations Governing the Operation of Motor Vehicle Carriers in South Carolina should be amended by further defining the terms "high explosives", "other dangerous commodities", and "household goods", therefore,

IT IS ORDERED: That Rule No. 19 of the Commission's Rules and Regulations Governing the Business of Transporting Persons or Property for Compensation Over the Public Highways of South Carolina, as established by its Order No. 10874, dated December 10, 1958, and becoming effective February 1, 1959, be and it is hereby amended to read as follows:

RULE 19. The term "commodities in general" when used in the Motor Vehicle Carrier Law of this State and the Rules and Regulations issued thereunder, does not include (a) Petroleum Products in bulk in tank

trucks; (b) Classes A and B Explosives and Classes A, C and D Poisons as defined under Explosives and other Dangerous Articles in American Trucking Association, Inc., Agent, Tariff No. 10, MF-ICC No. 11, PSCSC No. 11, supplements thereto or reissues thereof; and (c) Household Goods and Related Articles, as defined in Motor Truck Rate Bureau, Agent, Household Goods Tariff, Motor Freight Tariff No. 8-C, SCPSC-MF No. 79, supplements thereto or reissues thereof.

RETIREMENT SYSTEM

Promulgated under authority of Act No. 602 of 1954 and Act No. 33 of 1955
(Filed in the office of the Secretary of State November 15, 1961)

Pursuant to the authority vested in the State Agent, the following regulation is hereby adopted:

"The quarterly Social Security reports from any employer, department, board, bureau, agency or other political subdivision covered under OASI through the State Agency as defined in Act No. 602 of 1954 and Act No. 33 of 1955, shall be due in the office of the State Agent not later than 15 days following the close of such quarter. When a quarterly report is not filed by said date then interest on such delinquent payment shall be charged at the rate of one-half of one percent for each calendar month or part thereof past the due date".

This regulation was adopted by the State Agent on July 22, 1954.

SECURITIES COMMISSIONER

Promulgated under authority of Act No. 159 of 1961

Rules Promulgated in Connection with South Carolina Uniform Securities Act

(Filed in the office of the Secretary of State July 24, 1961)

Rule No. R-201-1.

Authority.

Under Section 412(a) and (b), the Securities Commissioner may make such rules as are necessary to carry out provisions of this Act including rules governing registration applications, where the Commissioner finds such rules to be necessary in the Public Interest and for the protection of Investors.

Rule.

No person will be registered as an Agent of more than One Broker-Dealer or Issuer, except that where management and officers of two or more Broker-Dealers or issuers are essentially identical, the Agent may be registered with such Broker-Dealers or Issuers upon their written consent.

Rule No. R-305(g)-1.

Authority.

Section 412(a) and (b), providing general powers to promulgate rules when deemed necessary in the Public Interest and for the protection of Investors, and Section 305(g)(2) empowering the Securities Commissioner

to require as a condition of registration by qualification or coordination that the proceeds from the sale of a registered security in South Carolina be impounded until the Issuer receives a specified amount from the sale of the security either in South Carolina or elsewhere.

Rule.

In connection with funds impounded under the provisions of Section 305(g)(2), no securities shall be issued therefor until such funds have been released to the Issuer in accordance with terms of an applicable Escrow Agreement, or by order of the Securities Commissioner.

Rule No. R-305(g)-2.

Authority.

Same as Rule No. R-305(g)-1.

Rule.

Where as a condition of registration the Securities Commissioner has required that funds from the sale of a registered security in this State be impounded until the Issuer receives a specified amount from the sale of the security either in this State or elsewhere, the gross amount of the proceeds shall be so impounded, provided that the Agreement between the Escrow Agent and the Broker-Dealer or Issuer engaged in the sale of said security may provide for release to the latter during the time the funds are impounded of a portion of the commission not greater than five percent (5%) of the net offering price of the security after deduction of the entire proposed commission.

Rule No. R-412-1.

Authority.

Section 412(a), (b), and (c), providing general powers to promulgate rules when deemed necessary in the Public Interest and for the protection of Investors, and in particular empowering the Securities Commissioner to prescribe whether any required financial statements shall be certified by independent or certified public accountants.

Rule.

All financial statements submitted in connection with filing of an application to register securities for sale in South Carolina or for inclusion in a Prospectus used in this State shall be certified by an Independent Public Accountant regularly engaged in business as such; provided, however, that interim statements prepared since the close of the last fiscal year need not be certified if prepared on a basis comparable to the statements certified to.

Where a company has been in business for less than one year and submits one statement only which covers a period of less than one year, such statement shall be certified to.

A report signed by the Independent Public Accountant should accompany the statements.

Effective July 24, 1961.

(Filed in the office of the Secretary of State November 10, 1961)

Rule No. R-306(a)(2)(F)-1.

Options or warrants issued to persons other than the purchasers of securities will be regarded in general with disfavor and will be considered

as grounds for the denial of an application unless fully justified. The burden shall always rest upon the applicant to justify their issuance. The following will be included among standards in determining justification and whether such options or warrants are unreasonable within the intent and meaning of the South Carolina Uniform Securities Act.

Employee Stock Purchase Plans will be considered justified if reasonable in method of exercise and if the total number of shares reserved for options to all persons excluding the purchasers of securities does not exceed 20% of the shares to be outstanding at the conclusion of the offering (not including the shares reserved for options).

Restricted Stock Options to Management for incentive purposes will be considered reasonable if all of the following conditions are met:

- (a) they do not exceed ten years' duration;
- (b) the exercise price is equal to at least 95% of the public offering price or of the fair market value at the time the options were granted;
- (c) payment is in cash;
- (d) the number of shares reserved for options to all persons excluding the purchasers of securities does not exceed 20% of the shares to be outstanding at the conclusion of the offering (not including the shares reserved for options).

Options to Underwriters will not be considered unreasonable if all of the following conditions are met:

- (a) they do not exceed five years' duration;
- (b) the initial exercise price is at least equal to the public offering price;
- (c) there is a step-up in price of at least 10% per annum after the first year, or as an alternative a single step-up of 30% at any time, the election to be made at the time of issuance;
- (d) payment is in cash;
- (e) they are issued to the managing underwriter under a firm underwriting agreement and are not assignable or transferable;
- (f) they are issued by a relatively small company in the promotional stage where it appears from all of the facts and circumstances that the issuance of such options is necessary to obtain competent banking service;
- (g) the number of shares reserved for options to all persons excluding the purchasers of securities does not exceed 20% of the shares to be outstanding upon conclusion of the offering (not including the shares reserved for options).

Authority.

Section 306(a)(2)(F) of the South Carolina Uniform Securities Act empowers the Securities Commissioner to deny, suspend or revoke registration of securities if it is found that "the offering would be made with unreasonable amounts of underwriters' and sellers' discounts, commissions, or other compensation, or promoters' profits or participation, or unreasonable amounts or kinds of options".

Section 412(a) of the Act empowers the Securities Commissioner to make such rules as are necessary to carry out the provisions of the Act, including rules governing registration statements, applications and reports, and defining any terms whether or not used in the Act.

Rule No. R-306(a)(2)(F)-2.

Applications to register securities offered on behalf of an Issuer will be considered with disfavor and it shall be considered as grounds for denial of any application where proceeds to the Issuer after all expenses plus commissions and remuneration of all types to underwriters do not equal a minimum of 80% of the gross proceeds of all securities sold including securities sold to underwriters within 6 months of the date of application.

With respect to securities sold to underwriters at prices below the public offering price, the difference between the price paid by the underwriters and the public offering price shall be considered as part of the compensation of the underwriters.

Authority.

Same as Rule No. R-306(a)(2)(F)-1.

Rule No. R-306(a)(2)(F)-3.

Applications to register securities by qualification or coordination will be in general regarded with disfavor and subject to denial where pre-incorporation stock subscriptions under South Carolina law remain unpaid, and have not been released by the subscribers to form part of the public offering. Consideration will be given to such applications if unpaid and unreleased subscriptions

- (a) do not exceed 20% of the currently outstanding shares;
- (b) are due no longer than 9 months from date of application for registration;
- (c) are a firm commitment to purchase for cash.

On subscriptions released to form a part of the public offering, the liability of the original subscribers remains until the shares are sold.

Authority.

Same as Rule No. R-306(a)(2)(F)-1.

Rule No. R-402(a)(7)-1.

The following securities exchanges are approved for inclusion in Section 402(a)(7) of the South Carolina Uniform Securities Act, and listing or approval for listing of a security on any of these exchanges exempts such security from Sections 301 and 403 of said Act:

Pacific Coast Stock Exchange;
Philadelphia-Baltimore Stock Exchange.

Authority.

Section 402(a)(7) of the South Carolina Uniform Securities Act empowers the Securities Commissioner to designate certain securities exchanges, listing on which would exempt securities from Sections 301 and 403 of said Act.

Rule No. R-402(b)(2)-1.

The following securities manuals are recognized under the provisions of Section 402(b)(2)(A) of the South Carolina Uniform Securities Act and the inclusion in any one of these manuals of information specified in this Section, concerning the issuer of a security, exempts such security from Sections 301 and 403 of said Act:

Standard & Poor Corporation Records;
Moody's Manuals.

Authority.

Section 412(a) of the South Carolina Uniform Securities Act empowers the Securities Commissioner to promulgate such rules as are necessary to carry out the provisions of the Act.

Effective November 10th, 1961.

TAX COMMISSION**Income Tax**

Promulgated under authority of Section 65-207, Code of Laws of S. C., 1952
(Filed in the office of the Secretary of State July 17, 1961)

Regulation No. 1**Pertaining to Depreciation, Obsolescence and Depletion**

Under the provision of Section 65-259(8), which provides for a deduction for depreciation, obsolescence and depletion, the terms "same depletion as now allowed under Federal Internal Revenue Code, Section 611, Section 612 and Section 613 and applicable regulations" and "same depreciation as now allowed under Federal Internal Revenue Code, Section 167, Sub-Sections (a), (b), and (c) and applicable regulations" shall in all cases be deemed and construed to mean and relate to methods of depreciation, obsolescence and depletion and not the actual amount reported on the Federal return or allowed by the Internal Revenue Service.

Regulation No. 2**Pertaining to Installment Sales**

The provisions of Section 65-286 of the 1952 Code of Laws for South Carolina, as amended, (Act No. 165; 1961 Acts) shall not be applicable or available to any taxpayer who at the time of sale or other disposition of any property subject to the provisions of said Section is a nonresident of South Carolina if such taxpayer is an individual, partnership or fiduciary or who is not qualified with the Secretary of State for the transacting, conducting or doing business in South Carolina if such taxpayer is a corporation.

In no event will the provisions of the aforementioned Section be allowed to any taxpayer unless such taxpayer made an election to report on the installment basis in his original and timely filed return for the initial year of any such sale.

Regulation No. 3**Pertaining to Fair Market Value of Property Acquired by Inheritance**

As used in Section 65-271, of the 1952 Code of Laws for South Carolina, as amended, the phrase "in the case of property acquired by inheritance the fair market value at the date of death of the decedent" shall mean that value which is reported to and accepted by the Inheritance Tax Division of the South Carolina Tax Commission and upon which the Inheritance Tax or Estate Tax due the State of South Carolina has been paid.

Regulation No. 4**Pertaining to the Amount of Deduction to be Allowed in the Case of a Contribution or Donation of Property**

(Filed in the office of the Secretary of State, January 10, 1962)

Where a deduction is claimed under Section 65-259(5) or (11), as amended, as a result of property which has been donated to an organization mentioned therein, the amount of contribution allowed as a deduction, to the extent authorized by said Section, shall be the cost of such property to the donor. Provided, however; In the case of property acquired prior to January 1, 1921 the fair market price or value of such property as of that date; and, In the case of property acquired by inheritance the fair market value at the date of death as determined by the Inheritance Tax Division of the South Carolina Tax Commission; and, In the case of property acquired by gift the basis of such property, which shall be deemed to be the basis of such property in the hands of the last donor who had not acquired the property by gift.

This Regulation shall be applicable for tax years beginning January 1, 1962.

Regulation No. 5**Pertaining to the Filing of Reports and Annual License Fees of Corporations**

Promulgated under authority of Section 65-616, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State February 23, 1962)

Every corporation subject to the provisions of Section 65-601 of the 1952 Code of Laws for South Carolina, as amended, shall be deemed to be maintaining an establishment in this State so as to be subject to the provisions of Section 65-608 and every such corporation shall file the report and pay the annual license fee prescribed by Section 65-608 on or before sixty (60) days after issuance of a Charter or after issuance of a Certificate of Domestication.

This Regulation shall be applicable to taxable periods commencing on and after January 1, 1960.

Beer and Wine Tax

Promulgated under authority of Section 4-6, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State August 23, 1961)

Regulation No. 8**Pertaining to Minors—Acts Permitted on Premises Licensed to Sell Beer and Wine**

It shall be unlawful for any holder of a Beer and Wine Permit to permit a minor, under the age of eighteen (18) years, to consume or have in his possession upon the premises of any location licensed to sell Beer and Wine, any Beer, Wine, Ale, Porter or other similar malt or fermented beverage which such minor is prohibited from purchasing under Section 4-203 of the 1952 Code of Laws of South Carolina, as amended.

Any violation of the foregoing Regulation shall constitute grounds for the suspension or revocation of any license issued or such other action as the South Carolina Tax Commission may lawfully prescribe.

Regulation No. 9

Promulgated under authority of Section 5, Part II, of Act No. 802 of 1960

(Filed in the office of the Secretary of State October 5, 1961)

Each wholesale beer and wine dealer shall report all sales, purchases or exchanges of their products with other wholesale dealers to the South Carolina Tax Commission on such forms as may be prescribed by the Tax Commission. Such information must be reported to the Tax Commission along with the wholesale dealer's monthly report not later than the 20th day of the month following the month in which the sale, purchase or exchange occurred. Failure to timely report such information in full as provided herein, for any reason, shall constitute a violation of this Regulation for which the Commission may suspend or revoke all permits held by such dealer or impose a monetary penalty of not less than \$20.00 nor more than \$100.00 upon the holder thereof.

Alcoholic Liquors

Promulgated under authority of Section 4-6, Code of Laws of S. C., 1952

Regulation Number 25

(Filed in the office of the Secretary of State April 18, 1962)

This supercedes Regulation No. 25 which was filed in the office of the Secretary of State, December 22, 1961.

(1) By way of implementation of the provisions of Section 15, Part II, of Act No. 813 of 1956, which provisions prohibit wholesale and retail liquor dealers from selling alcoholic liquors on credit, the South Carolina Tax Commission, recognizing the general and common business practice of accepting checks in payment for merchandise as being a cash transaction, will consider the acceptance of a check in payment for liquor as a sale for cash and not a sale on credit, **Provided** only however, (a) that the check is paid in full immediately upon presentation to the bank on which the check is drawn, and that such check is deposited within seventy-two (72) hours after receipt, and **Provided** further (b) that if a check of a retail dealer, offered in payment for liquor purchased from a wholesaler, is not paid upon presentation to the bank, the said wholesale dealer shall immediately notify, in writing, the South Carolina Tax Commission and the other licensed wholesale liquor dealers in the State.

(2) Failure on the part of the wholesale dealer to whom the check is delivered to promptly notify the South Carolina Tax Commission and the other wholesale dealers of the bad check shall be considered by the South Carolina Tax Commission as a violation of credit provisions of the law by such wholesaler.

(3) Such wholesaler to whom a check is given by a retailer in payment for liquor shall immediately undertake the prompt collection of the check. Any retailer tendering a bad check for the first time to a

wholesaler for the purchase of liquor shall lose his privilege of purchasing by check for a period of three (3) months, for a second bad check the loss of the privilege for a period of twelve (12) months, and for any future bad check the loss of the right to purchase by check for such period of time as the Commission, in its discretion, shall deem proper.

(4) The only exception to the above requirements is in the matter of the sale of liquor to Government Instrumentalities where regulatory procedures do not permit immediate payment.

(5) Any wholesale liquor dealer who sets up and/or controls either directly or indirectly a finance company for the purpose, among any others, of lending money to retail liquor dealers to be used in the purchase of liquor and does lend such money shall be deemed to have extended credit in violation of Section 15, Part II, of Act No. 813 of 1956, prohibiting the sale of liquor on credit.

License Tax

Promulgated under authority of Section 16, Article II, of Act No. 654 of 1956

(Filed in the office of the Secretary of State August 23, 1961)

Regulation No. 10—Pertaining to Suppliers of Motor Fuel

The tax imposed by Section 7, Article 2, Act No. 654, Acts and Joint Resolutions, 1956, applies to all fuel sold or delivered by any supplier to any (a) unlicensed service station except in accordance with the provisions contained herein, (b) bulk highway user, (c) sold or delivered into the fuel supply tank of a motor vehicle, (d) consumed by any supplier on the highways in the propulsion of a motor vehicle operated by him.

Sales of special fuel at a service station are exempt from the tax levied under Section 7, Article 2, Act No. 654, Acts and Joint Resolutions, 1956, when the purchases are for non-highway use or for sale for non-highway use and are stored separate and apart from facilities servicing motor vehicles, providing the separate storage facilities and pumps are prominently and permanently labeled "not for highway use". Such label to be in plain view of the public so as to indicate that non-tax paid products are contained therein.

No supplier shall deliver special fuel to a service station without collecting the tax thereon unless such fuel is delivered into a tank prominently labeled "not for highway use" as provided in the foregoing paragraph.

Documentary Stamps

Regulation No.

Promulgated under authority of Section 65-851, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State April 19, 1962)

(1) By way of implementation of the provisions of Section 65-653 of the 1952 South Carolina Code of Laws, which vest in the Commission the right to engage any person to sell documentary tax stamps and

to allow as compensation for receiving, selling, and accounting for such stamps three (3%) per cent of the sale price thereof, the South Carolina Tax Commission recognizes that such provision is made primarily for the purpose of making readily available to the public South Carolina documentary stamps at points other than at the office of the Commission and further recognizes that accountability for the stamps is inherent in the provisions of Section 65-653 of the 1952 South Carolina Code of Laws.

(2) Any depository or person approved by the Commission for selling documentary stamps shall give the purchaser an invoice and keep a copy of each invoice for each sale of stamps and these invoices and other records pertaining to said documentary stamps shall be retained for a period of six (6) years and shall be available for inspection by agents of the Tax Commission, **Provided**, however, that this requirement shall not be applicable in the instances of the use of the stamps by the depository or seller in their own transactions.

(3) The depository or seller shall make documentary stamps available for sale to the general public during normal business hours.

Effective July 1, 1962.

Sales and Use Tax

Promulgated under authority of Section 65-1443, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State November 10, 1961)

Regulation No. 28 filed with the office of the Secretary of State on June 30, 1951, is hereby amended by striking it out and inserting in lieu thereof the following:

Regulation No. 28

Photographers and Photo Finishers

Photographers operating photographic studios for the purpose of taking photographs and portraits are primarily engaged in the business of selling tangible personal property to their customers and such sales are taxable.

In cases where individuals deliver pictures to photographers or photographic studios for tinting or coloring, the receipts from such tinting or coloring would not be subject to tax, since such a charge would be the result of service rendered.

Where individuals deliver to what are commonly known as photo finishers, films for developing by the latter, the charge made by photo finishers for actual developing of the films is compensation for a service and does not represent receipts from the sale of tangible personal property. If, however, the photo finisher supplies or sells to his customer, for whom he may be developing the film, printed pictures, the charge for such prints or pictures would constitute a sale at retail, which would be taxable. In such cases, if the photo finisher does not segregate the charge for developing of the films from the charge for prints or pictures, **the total amount of the charge to the customer would be taxable.** Photostatic copies produced and sold by a photostat producer to pur-

chasers for use, and not for purpose of resale, constitute sales of tangible personal property at retail and are taxable.

This Regulation, as amended, shall become effective on November 8, 1961.

Administrative Regulation

Promulgated under authority of Section 65-63, Code of Laws of S. C., 1952
(Filed in the office of the Secretary of State March 28, 1962)

Regulation No. 1—Pertaining to the Supplying of Identifying Numbers

Any person required to make a return, statement, or document to the South Carolina Tax Commission shall include in such return, statement, or other document such identifying numbers as may be prescribed for securing proper identification of such person.

WATER POLLUTION CONTROL AUTHORITY

Promulgated under authority of Sections 70-101 through 70-139,
Code of Laws of S. C., 1952

Stream Classifications

(Filed in the office of the Secretary of State January 20, 1962)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Gaffney, South Carolina, January 12, 1962.)

This action is based on the finding of facts as stated in the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Gaffney, South Carolina, January 12, 1962.

Buffalo Creek:

Cherokee County:

All that portion from the South Carolina-North Carolina State Line downstream to its crossing by Interstate Highway No. 85, Class B.

(This supercedes the classification of this portion of Buffalo Creek in Cherokee County, adopted on February 19, 1953, and filed with the Secretary of State on February 24, 1953.)

(The public hearing as required by law prior to the classification of streams was held in Jonesville, South Carolina, January 12, 1962.)

This action is based on the finding of facts as stated in the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Jonesville, South Carolina, January 12, 1962.

Tributary to Mill Creek:

Union County:

All that portion originating in Jonesville and flowing approximately north-northeast to its junction with Mill Creek, Class B.

(Filed in the office of the Secretary of State February 15, 1962)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Charleston, South Carolina, February 9, 1962.)

This action is based on the finding of facts as stated in the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Charleston, South Carolina, February 9, 1962.

Santee River:

North and South:

That portion of the North and South Santee Rivers from the Atlantic Ocean upstream to a point 1000 feet from the Intracoastal Waterway, Class SA.

From the above points upstream to the crossing of the North and South Santee Rivers by U. S. Highway No. 17, Class SB.

(This supercedes the classifications applied to these portions of the Santee River in Charleston and Georgetown Counties, adopted on September 16, 1954, and filed with the Secretary of State on September 27, 1954.)

(Filed in the office of the Secretary of State March 22, 1962)

(The Public Hearing as required by law prior to the classification and/or reclassification of streams was held in Walhalla, South Carolina, February 16, 1962).

This action was based on the finding of facts as stated in the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Walhalla, South Carolina, February 16, 1962.

Coneross Creek:

Oconee County:

That portion of Coneross Creek from Lake Jimika proceeding downstream to its confluence with Nigger Fork Creek, Class A.

(This supercedes the classification as applied to this portion of Coneross Creek in Oconee County, adopted May 20, 1954, and filed with the Secretary of State on May 24, 1954.)

(Filed in the office of the Secretary of State May 17, 1962)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Lancaster, South Carolina, May 9, 1962.

This action is based on the finding of facts as stated in the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Lancaster, South Carolina, May 9, 1962.

McAlpine Creek:

Lancaster County:

Throughout its entire reaches (Lancaster County) in South Carolina, Class Ca

(This supercedes the classification applied to McAlpine Creek, as a tributary of Sugar Creek, in Lancaster County, adopted October 28, 1953, and filed with the Secretary of State, November 3, 1953.)

WILDLIFE RESOURCES COMMISSION**Shad Fishing**

Promulgated under authority of Section 28-174, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State October 6, 1961)

The Division of Commercial Fisheries, South Carolina Wildlife Resources Department adopts the following regulation:

Any permit issued by the Corps of Engineers, U. S. Army for shad fishing shall constitute priority for locating shad nets and shall be considered as a "net previously set" as that term is used in Section 28-886, Code of Laws of S. C., 1952.

Boating Act

Promulgated under authority of Section 15-(c) of Act No. 253 of 1959

(Filed in the office of the Secretary of State March 30, 1962)

South Carolina Flotation and Serial Number Regulations to Implement Section 5 of the South Carolina Boating Act as Amended

The following supercedes regulations relating to the same subject filed with the Secretary of State October 6, 1961, and January 17, 1962. Those interested may find these regulations in the office of the Secretary of State.

FLOTATION**Law**

No vessel not already in the hands of a dealer may be sold or offered for sale by any person in this State after January 1, 1962, other than a vessel constructed of wood, which does not meet the requirements for flotation as set forth by the Boating Division of the Wildlife Resources Department, nor shall any such vessel not meeting these flotation requirements be registered or numbered by the South Carolina Division of Boating except vessels purchased, acquired, registered and numbered prior to January 1, 1962.

Definition

"Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

Vessels not Required to have Flotation Material

- (1) Vessels constructed of wood.
- (2) Inboard vessels or Inboard-Outboard vessels propelled by 4-cycle engines.
- (3) Any vessel entirely dependent upon pontoons to remain afloat.

Flotation Specifications

(1) For purposes of the statute, flotation is defined as that quantity of flotation material which will keep a boat from sinking when it is filled with water and passengers are clinging to it, providing that the aggregate weight of motor, passengers, and equipment carried in or attached to the boat does not exceed the boat's maximum weight capacity, as determined by the maximum weight capacity formula set forth in Appendix A.

The quantity of flotation material shall be determined from the boat flotation formula set forth in Appendix B.

(2) Compliance with either the South Carolina Boating Division's flotation requirements as set forth in Appendices A and B, or with the Outboard Boating Club of America's recommendations for flotation in their Engineering Manual will suffice for purposes of this law. Recognizing that flotation is subject to change in the face of advances in technology and product design, the South Carolina Boating Division stipulates that the flotation specifications set forth in these regulations and Appendices are subject to change.

Display of Certification of Flotation

(1) As of January 1, 1962, all newly constructed vessels to be offered for sale in South Carolina and not already in the hands of dealers must have attached thereto, by the manufacturer or distributor, one of the following certifications:

- A. This boat meets flotation requirements prescribed by the South Carolina Division of Boating.
- B. (1) This boat meets recommendations for flotation as set forth in the Outboard Boating Club of America's current Engineering Manual or (2) This boat meets recommendations for flotation as set forth in the Outboard Boating Club of America's Engineering Manual.
- C. This boat has been constructed in compliance with the flotation requirements prescribed by the Boating Division, South Carolina Wildlife Resources Department.
- D. The following wording to be included on Outboard Boating Club of America's Capacity Plate: This boat provides flotation as recommended by the Outboard Boating Club of America.

(2) The method of attaching the manufacturer's or distributor's certification to a vessel shall be optional so long as the certification is affixed in a manner so as to be not readily removable or alterable and non-transferrable.

(3) No one place for displaying certification on a vessel is specified, but the certification shall be plainly visible and accessible to reasonable inspection.

SERIAL NUMBERS

Law

No newly constructed vessel, other than a vessel constructed of wood, shall be sold in this State after January 1, 1962, unless the serial number is clearly imprinted in the stern transom. If the manufacturer selects another location on the hull, the Division of Boating must be notified by the manufacturer as to such location.

Definition

"Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

Vessels not Required to Have Serial Numbers

Vessels constructed entirely of wood.

Display of Serial Numbers

Serial numbers shall be clearly imprinted in the stern transom or on the hull by stamping, impressing, or marking with pressure. In lieu of imprinting, the serial number may be displayed on a plate in a permanent manner. If the serial number is displayed in a location other than the stern transom, the Division of Boating must be notified by the manufacturer as to such location. No person, firm, association or corporation shall destroy, remove, alter, cover, or deface the manufacturer's serial number, or plate bearing such serial number, from any vessel as defined herein.

Appendix A**Boat Weight Capacity
Instructions**

The figures to be inserted in the blanks are to be taken from the Boat Interior Dimension drawing, to which the letters under the blank spaces refer. All dimensions must be converted to decimal numbers before insertion in the formula. Table I converts inches and eighths of inches to the decimal equivalents in feet.

Certain maximums have been established for the height of a transverse section, and these heights, to be used for the computation of square feet of a transverse section, are shown in Table II. (See Dimensions drawing and TABLES I and II on page 4.)

STEP 1: Enter the appropriate measurements for a particular section. Compute the square feet for the three transverse sections as specified.

The maximum allowable height (H) is based on width (a) for that section on the Interior Dimensions. If the actual height of the section is less than the maximum allowable height, use the actual height. If the actual height of the section is more than the maximum allowable height, use the maximum allowable height.

STEP 2: From Step 1 enter the computed square feet for Sections A, B, and C in the formula.

A—Square Feet for Section A

B—Square Feet for Section B

C—Square Feet for Section C

Take the figure for length (L) from Boat Interior Dimensions drawing.

STEP 3: From Step 2 enter the computed cubic feet of the boat and multiply it by 12.5 as shown in the formula to determine the Maximum Weight Capacity, including people, motor and gear.

TABLE I

CONVERSION TABLE

FRACTIONS OF INCHES AND
INCHES TO FEET

INCHES	DECIMALS	INCHES	DECIMALS
1/8"	.010'	3"	.250'
1/4"	.021'	4"	.333'
3/8"	.031'	5"	.417'
1/2"	.042'	6"	.500'
5/8"	.052'	7"	.583'
3/4"	.062'	8"	.667'
7/8"	.073'	9"	.750'
1"	.083'	10"	.833'
2"	.167'	11"	.917'

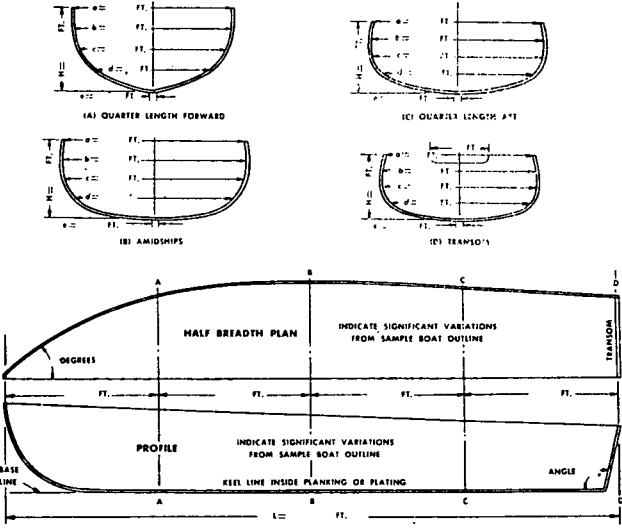
TABLE II

MAXIMUM ALLOWABLE HEIGHT
FOR A TRANSVERSE SECTION

(To be used for computation of square feet
in Transverse Sections)

Beam of Section in Feet	Maximum Allowable Height For That Section, Feet
Up to 4.042'	1.583'
4.043' to 4.375'	1.667'
4.376' to 4.709'	1.750'
4.710' to 5.042'	1.833'
5.043' to 5.375'	1.917'
5.376' to 5.709'	2.000'
5.710' to 6.042'	2.083'
6.043' to 6.375'	2.167'
6.376' to 6.709'	2.250'
6.710' to 7.042'	2.333'
7.043' to 7.375'	2.417'
7.376' to 7.709'	2.500'

BOAT INTERIOR DIMENSIONS



LENGTH FROM STEM INSIDE PLANKING TO STERN INSIDE HIGHEST POINT OF TRANSOM ON A STRAIGHT LINE PARALLEL TO KEEL.

TRANSVERSE SECTIONS (A, B and C) are taken at three points obtained by dividing length (L) into four equal parts. HORIZONTAL BREADTHS (a, b, c, d, and e) are secured by measuring at upper and lower

points of the height (H) and at three points selected by dividing (H) into four equal parts. MEASUREMENTS are taken inside planking or plating and recorded in feet with decimal equivalents for inches and eighths.

WEIGHT CAPACITY FORMULA WORK SHEET

STEP 1: COMPUTE AREAS OF SECTIONS

$$\text{Formula: Area} = \frac{H}{12} (a + 4b + 2c + 4d + e)$$

Note: For maximum allowable height (H) in any section, check table II in instructions.

Area A-Section Quarter Length Forward:

$$A = \left(\frac{\quad}{12} \right) \left[\frac{\quad}{4} a + 4 \left(\frac{\quad}{\quad} \right) b + 2 \left(\frac{\quad}{\quad} \right) c + 4 \left(\frac{\quad}{\quad} \right) d + \left(\frac{\quad}{\quad} \right) e \right]$$

A = _____ square feet (two decimal places)

Area B-Section Amidships:

$$B = \left(\frac{\quad}{12} \right) \left[\frac{\quad}{4} a + 4 \left(\frac{\quad}{\quad} \right) b + 2 \left(\frac{\quad}{\quad} \right) c + 4 \left(\frac{\quad}{\quad} \right) d + \left(\frac{\quad}{\quad} \right) e \right]$$

B = _____ square feet (two decimal places)

Area C-Section Quarter Length Aft:

$$C = \left(\frac{\quad}{12} \right) \left[\frac{\quad}{4} a + 4 \left(\frac{\quad}{\quad} \right) b + 2 \left(\frac{\quad}{\quad} \right) c + 4 \left(\frac{\quad}{\quad} \right) d + \left(\frac{\quad}{\quad} \right) e \right]$$

C = _____ square feet (two decimal places)

STEP 2: COMPUTE CUBIC CAPACITY

Formula:

$$\text{Cubic Capacity of Hull} = \frac{L}{12} (4A + 2B + 4C)$$

$$\text{Cubic Capacity} = \left(\frac{\quad}{12} \right) \left[4 \left(\frac{\quad}{\quad} \right) A + 2 \left(\frac{\quad}{\quad} \right) B + 4 \left(\frac{\quad}{\quad} \right) C \right]$$

Cubic Capacity = _____ cubic feet (one decimal place)

STEP 3: COMPUTE MAXIMUM WEIGHT CAPACITY

Formula: Maximum Weight Capacity = Cubic Capacity X 12.5 lbs.
per cubic ft.

Maximum Weight Capacity = _____ X 12.5

Maximum Weight Capacity = _____ pounds (nearest whole number)

APPENDIX BBOAT FLOTATION FORMULA

STEP 1: Determine the submerged weight of boat (W_s) * (See Page 7)

FORMULA: $W_s = W_h K_1 + W_d K_2 + .69 W_e$
 where W_h = dry weight of hull
 W_d = dry weight of deck and superstructure
 W_e = dry weight of factory installed equipment,
 hardware, and accessories.
 K_1 and K_2 = conversion factors for materials
 used from Table I.

$W_s = () () + () () + .69 ()$
 $W_s = () + () + ()$
 $W_s = \underline{\hspace{2cm}}$ pounds (nearest whole number)

STEP 2: Determine the submerged weight of engine, related equipment, and loose gear. (G)

Locate in Table II the maximum horsepower capacity for which the boat is recommended and record the total submerged weight.

G = pounds (nearest whole number)

STEP 3: Determine the dry weight of live load (C)

FORMULA: C = BOAT WEIGHT CAPACITY - TOTAL DRY WEIGHT (TABLE II)

Subtract the total dry weight of engine, related equipment, and loose gear as shown in TABLE II from the Boat Weight Capacity.

C = () - ()
 C = pounds (nearest whole number)

STEP 4: Determine pounds of flotation required (W)

FORMULA: $W = W_s \text{ (Step 1.)} + G \text{ (Step 2.)} + .1 C \text{ (Step 3.)}$
 $W = () + () + .1 \times ()$
 $W = \underline{\hspace{2cm}}$ pounds (nearest whole number)

STEP 5: Determine the cubic feet of flotation material needed (F)

FORMULA: $F = \frac{W}{B}$

where W = pounds of flotation required (Step 4.)
 B = Buoyancy of flotation material to be
 used in pounds per cubic foot.
 (one decimal place) ** (See Page 7)
 $F = () \div ()$
 F = cubic feet (one decimal place)

TABLE I
FACTORS FOR CONVERTING VARIOUS BOAT MA-
TERIALS FROM DRY TO SUBMERGED WEIGHT.

MATERIAL	FACTOR
Steel	.88
Aluminum	.63
Fiberglass	.33
Mahogany	— .11
Oak	— .33
Lapstrake (Plywood Strakes)	— .43
Molded Plywood	— .49
Douglas Fir Plywood	— .54
Walnut	— .54
Playap	— .67
Cedar Strip	— .72
Redwood	— .82
"Royalite"	— .82

TABLE II
WEIGHTS OF ENGINE, RELATED EQUIPMENT, AND LOOSE GEAR FOR VARIOUS
RECOMMENDED HORSEPOWER RATINGS.

Boat Horsepower Rating	No. of Engines	Dry Wt. Motor	Dry Wt. Battery	Dry Wt. Misc. Gear	Total Dry Wt.	Submerged Weight IG
0-10	1	75		50	125	86
11-20	1	95	40	50	185	127
21-40	1	145	40	100	285	196
41-60	2	190	40	100	330	227
61-80	1	250	40	100	390	269
81-100	2	270	40	100	410	282
101-150	1	250	40	125	415	286
151-200	2	290	40	125	455	313
201-250	1	350	40	150	540	372
251-300	2	500	80	150	730	503
301-350	1	400	40	200	640	441
351-400	2	500	80	200	780	538

*The formula for determining W_s may be amplified for greater accuracy by a boat builder using several different materials in the construction of a boat. Parts made of each material are weighed and the weight multiplied by the conversion factor for the material used. The formula given above for W_s will yield an approximate submerged weight, accurate enough in nearly all cases for use in determining the pounds of flotation needed.

**If air chambers are used for flotation, B will be 62.4, which is the weight of a cubic foot of fresh water.

If other flotation materials are used, B will equal 62.4 minus the weight of one cubic foot of the material used, less appropriate allowances for absorption and adsorption characteristics.

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